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ROME · WITH INTRODUCTION
BY E. A. FREEMAN, LL.D.
IN FOUR VOLS. VOL. THREE


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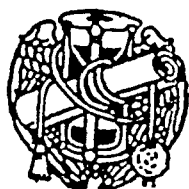
“ONSIDER
HISTORY
WITH THE
BEGINNINGS OF
IT STRETCHING
DIMLY INTO THE
REMOTE TIME; E
MERGING DARK
LY OUT OF THE
MYSTERIOUS
ETERNITY: ⑨ ⑨
THE TRUE EPIC
POEM AND UNI
VERSAL DIVINE
SCRIPTURE. . .”



✓ CARLYLE ✓



THE HISTORY
OF ROME &
& THEODOR
MOMMSEN &
Translated by
W. P. Dickson
VOLUME THREE



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BOOK FOURTH
THE REVOLUTION

"Aber sie treiben's toll;
Ich fürcht', es breche."
Nicht jeden Wochenschluss
Macht Gott die Zeche.

GOETHE.

THE HISTORY OF ROME

BOOK FOURTH

CHAPTER I

THE SUBJECT COUNTRIES DOWN TO THE TIMES OF THE GRACCHI

ON the abolition of the Macedonian monarchy, the supremacy of Rome was not only an established fact from the Pillars of Hercules to the mouths of the Nile and the Orontes, but, as if it were the final decree of fate, pressed on the nations with all the weight of an inevitable necessity, and seemed to leave them merely the choice of perishing in hopeless resistance or in hopeless endurance. If history were not entitled to insist that the earnest reader should accompany her through good and evil days, through landscapes of winter as well as of spring, the historian might be tempted to shun the cheerless task of tracing the manifold and yet monotonous turns of this struggle between power and weakness, both in the Spanish provinces already annexed to the Roman empire and in the African, Hellenic, and Asiatic territories which were still treated as clients of Rome. But, however unimportant and subordinate the individual conflicts may appear, they possess collectively a deep historical significance; and, in particular, the state of things in Italy at this period only becomes intelligible in the light of the reaction which the provinces exercised over the mother-country.

In addition to the territories which may be regarded as natural appendages of Italy—in which, however, the natives were still far from being completely subdued, and Ligurians, Sardinians, and Corsicans were, not greatly to the credit of Rome, continually furnishing occasion for “village triumphs”—the formal sovereignty of Rome at the commencement of this period was established only in the two Spanish provinces, which embraced the larger eastern and southern portions of the peninsula beyond

the Pyrenees. We have already (ii. 192 *et seq.*) attempted to describe the state of matters in the peninsula. Iberians and Celts, Phoenicians, Hellenes, and Romans were there strangely intermingled. The most diverse kinds and stages of civilisation subsisted there simultaneously and at various points crossed each other, the ancient Iberian culture side by side with utter barbarism, the civilised relations of Phœnician and Greek mercantile cities side by side with the growth of a Latinising culture which was especially promoted by the numerous Italians who were settling there. The *stipendiary* garrison of the *Castra* (on the Bay of Cádiz) and the Latin colony of *Carteia* (on the Bay of Cádiz) deserve mention—the latter being, next to *Agintum* (ii. 139), the first of Latin tongue and Italian blood. It was founded by Scipio the Elder, before the war with Hannibal, and was the first of the *coloniae* which were inclined to remain as *burgess-communities*, however, but merely as a market place¹. *Carteia* was founded in 211 B.C. and owed its existence to the multitude of camp-children—the offspring of Roman soldiers and Spanish slaves—who grew up as slaves *de jure* but as free Italians *de facto*, and were now enlisted on behalf of the state and constituted, along with the *stipendiary* garrison, the *Castra*. For nearly the first time by the Romans, the Spanish provinces, on the whole, enjoyed the blessing of peace. Although mention is made of one or two expeditions against the *Carthaginienses*, the *Carthaginienses* themselves, under the leadership of a *Carthaginiensis* Punicus, invaded the Roman territory, defeated the two Roman governors who had united to oppose them, and slew a great number of their troops. The *Vettones* (between the Tagus and the Upper *Tagus*) were induced to make common cause with the *Carthaginienses*, and their example was followed by the *Carthaginienses* themselves. The *Carthaginienses* then, in an capital blow, captured the city of *Carthage* (*Cartagena*). The *Carthaginienses* then, in an capital blow, captured the city of *Carthage* (*Cartagena*).

¹ *Italia* must have been intended by Scipio to be what was called by Italy *forum et conciliabulum civium Romanorum*, *Forum* being the local hall of assembly and of rewards. The formation of *Forum* and *Concilium* is a common one only two, in at a later date with *Carthage* and *Carthage*. Yet it is remarkable that Scipio already made a first step, in a certain sense, in that direction.

so seriously as to resolve on sending a consul to Spain, a step which had not been taken since $\frac{549}{132}$; and, in order to accelerate the despatch of aid, they even made the new consuls enter on office two months and a half before the legal time. For this reason the day for the consuls entering on office was shifted from the 15th of March to the 1st of January; and thus was established the beginning of the year which we still make use of at the present day. But, before the consul Quintus Fulvius Nobilior arrived with his army, a very serious encounter took place on the right bank of the Tagus between the praetor Lucius Mummius, governor of Further Spain, and the Lusitanians, now led after the fall of Punicus by his successor Caesarus ($\frac{601}{133}$). Fortune was at first favourable to the Romans; the Lusitanian army was broken and their camp was taken. But the Romans, already fatigued by their march and falling out of their ranks in the disorder of the pursuit, were at length completely defeated by their already vanquished antagonists, and lost their own camp in addition to that of the enemy, as well as 9000 dead.

The flame of war now blazed forth far and wide. The Lusitanians on the left bank of the Tagus, led by Caucaenus, threw themselves on the Celtici subject to the Romans (in Alentejo), and took their town Conistorgis. The Lusitanians sent the standards taken from Mummius to the Celtiberians at once as an announcement of victory and a summons to arms; and among these, too, there was no want of ferment. Two small Celtiberian tribes in the neighbourhood of the powerful Arevacae (near the sources of the Douro and Tagus), the Belli and the Titthi, had resolved to settle together in Segeda, one of their towns. While they were occupied in building the walls the Romans ordered them to desist, because the Sempronian regulations prohibited the subject communities from founding towns at their own discretion; and they at the same time required the contribution of money and men which was due by treaty but for a considerable period had not been demanded. The Spaniards refused to obey either command, alleging that they were engaged merely in enlarging, not in founding, a city, and that the contribution had been not merely suspended, but remitted by the Romans. Thereupon Nobilior appeared in Hither Spain with an army of nearly 30,000 men, including some Numidian horsemen, and ten elephants. The walls of the new town of Segeda still stood unfinished: most of the inhabitants submitted. But the most resolute men fled with their wives and children to the powerful Arevacae, and summoned these to make common

cause with them against the Romans. The Arevacæ, emboldened by the victory of the Lusitanians over Mummius, consented, and chose Carus, one of the Segedan refugees, as their general. On the third day after his election the valiant leader had fallen, but the Roman army was defeated and nearly 6000 Roman burgesses were slain, the 23rd day of August, the festival of the Volcanalia, was thenceforth held in sad remembrance by the Romans. The fall of their general, however, induced the Arevacæ to retreat into their strongest town Numantia (Guarray, a Spanish league to the north of Soria on the Douro) whither Nobilior followed them. Under the walls of the town a second engagement took place, in which the Romans at first by means of their elephants drove the Spaniards back into the town, but while doing so they were thrown into confusion in consequence of one of the animals being wounded, and sustained a second defeat at the hands of the enemy again issuing from the walls. This and other misfortunes—such as the destruction of a corps of Roman cavalry despatched to call forth the contingents—unparted to the affairs of the Romans in the *Hither province* so unfavourable an aspect that the fortress of Ocilis, where the Romans had their chest and their stores, passed over to the enemy, and the Arevacæ were in a position to think of dictating peace, although without success, to the Romans. These disadvantages, however were in some measure counter-balanced by the successes which Mummius achieved in the southern province. Weakened though his army was by the disaster which it had suffered, he yet succeeded in inflicting a defeat on the Lusitanians who were imprudently scattered on the right bank of the Tagus, and passing over to the left bank, where the Lusitanians had overrun the whole Roman territory, and had even made a foray into Africa, he cleared the southern province of the enemy.

To the northern province in the following year (133) the senate sent considerable reinforcements and a new commander-in-chief to succeed the incapable Nobilior, the consul Marcus Claudius Marcellus who had already, when prætor in 134, distinguished himself in Spain and had since that time given proof of his talents as a general in two consular trips. His skillful leadership and still more his elements, speedily changed the position of affairs. Ocilis at once surrendered to him, and even the Arevacæ, confirmed by Marcellus in the hope that peace would be granted to them on payment of a moderate fine, sought for an armistice and sent envoys to Rome. Marcellus, however,

proceed to the southern province, where the Vettones and Lusitanians had professed submission to the praetor Marcus Atilius so long as he remained within their bounds, but after his departure had immediately revolted afresh and chastised the allies of Rome. The arrival of the consul restored tranquillity, and, while he spent the winter in Corduba, hostilities were suspended throughout the peninsula. Meanwhile the question of peace with the Arevacae was discussed at Rome. It is a significant indication of the relations subsisting among the Spaniards themselves, that the emissaries of the Roman party among the Arevacae were the chief occasion of the rejection of the proposals of peace at Rome, by representing that, if the Romans were not willing to sacrifice the Spaniards friendly to their interests, they had no alternative save either to send a consul with a corresponding army every year to the peninsula or to make an emphatic example now. In consequence of this, the ambassadors of the Arevacae were dismissed without a decisive answer, and it was resolved that the war should be prosecuted with vigour. Marcellus accordingly found himself compelled in the following spring ($\frac{693}{181}$) to resume the war against the Arevacae. But—either, as was asserted, from his unwillingness to leave to his successor, who was to be expected soon, the glory of terminating the war, or, as is perhaps more probable, from his believing like Gracchus that a humane treatment of the Spaniards was the first thing requisite for a lasting peace—the Roman general, after holding a secret conference with the most influential men of the Arevacae, concluded a treaty under the walls of Numantia, by which the Arevacae surrendered to the Romans at discretion, but were reinstated in their former stipulated rights on their undertaking to pay money and furnish hostages.

When the new commander-in-chief, the consul Lucius Lucullus, arrived at head-quarters, he found the war which he had come to conduct already terminated by a formally concluded peace, and his hopes of bringing home honour and more especially money from Spain were apparently frustrated. But there was a means of surmounting this difficulty. Lucullus of his own accord attacked the western neighbours of the Arevacae, the Vaccae, a Celtiberian nation still independent and living on the best terms with the Romans. The question of the Spaniards as to what fault they had committed was answered by a sudden attack on the town of Cauca (Coca, eight Spanish leagues to the west of Segovia); and, while the terrified town believed that it had purchased a capitulation by heavy sacrifices of money,

Roman troops marched in and enslaved or slaughtered the inhabitants without any pretext at all. After this heroic feat, which is said to have cost the lives of some 20,000 men, the army proceeded on its march. Far and wide the villages and townships were abandoned or, as in the case of the strong Intercatia and Pallantia (Palencia) the capital of the Vaccæi, closed their gates against the Roman army. Covetousness was caught in its own net, there was no community that would venture to conclude a capitulation with the perfidious commander, and the general flight of the inhabitants not only rendered booty scarce, but made it almost impossible for him to remain for any length of time in such inhospitable regions. In front of Intercatia, Scipio Aemilianus, an esteemed military tribune, the son of the victor of Pydna and the adopted grandson of the victor of Zama succeeded, by pledging his word of honour when that of the general no longer availed in inducing the inhabitants to conclude an agreement by virtue of which the Roman army departed on receiving a supply of cattle and clothing. But the siege of Pallantia had to be raised for want of provisions, and the Roman army in its retreat was pursued by the Vaccæi as far as the Douro. Lucullus, thereupon proceeded to the southern province, where in the same year the prætor, Servius Sulpicius Galba had allowed himself to be defeated by the Lusitanians. They spent the winter not far from each other—Lucullus in the territory of the Turdetani, Galba at Conistorgis—and in the following year (136) jointly attacked the Lusitanians. Lucullus gained some advantages over them near the straits of Gades. Galba performed a greater achievement, for he concluded a treaty with three Lusitanian tribes on the right bank of the Tagus and promised to transfer them to better settlements, whereupon the barbarians, who to the number of 7000 came to him for the sake of the expected lands, were separated into three divisions, disarmed, and partly carried off into slavery, partly massacred. War has hardly ever been waged with so much perfidy, cruelty, and avarice as by these two generals, yet by means of their criminally acquired treasures the one escaped condemnation and the other escaped even impeachment. The veteran Cato in his eighty-fifth year, a few months before his death attempted to bring Galba to account before the burgesses, but the weeping children of the general, and the gold which he had brought home with him, demonstrated to the Roman people his innocence.

It was not so much the inglorious successes which Lucullus and Galba had attained in Spain, as the cruelty of the latter

Macedonian and of the third Carthaginian war in $\frac{605}{149}$, which induced the Romans again to leave Spanish affairs for a time in the hands of the ordinary governors. Whereupon the Lusitanians, exasperated rather than humbled by the perfidy of Galba, immediately overran afresh the rich territory of Turdetania. The Roman governor Gaius Vetilius ($\frac{607}{147}$ — $\frac{608}{146}$?¹) marched against them, and not only defeated them, but drove the whole host towards a hill where it seemed lost irretrievably. The capitulation was virtually concluded, when Viriathus—a man of humble origin, who formerly, when a youth, had bravely defended his flock from wild beasts and robbers and was now in more serious conflicts a dreaded guerilla chief, and who was one of the few Spaniards that had accidentally escaped from the perfidious onslaught of Galba—warned his countrymen against relying on the Roman word of honour, and promised them deliverance if they would follow him. His language and his example produced a deep effect: the army entrusted him with the supreme command. Viriathus gave orders to the mass of his men to proceed in detached parties, by different routes, to the appointed rendezvous; he himself formed the best mounted and most trustworthy into a corps of 1000 horse, with which he covered the departure of the rest. The Romans, who wanted light cavalry, did not venture to disperse for the pursuit under the eyes of the enemy's horsemen. After Viriathus and his band had for two whole days held in check the entire Roman army, he suddenly disappeared during the night and hastened to the general rendezvous. The Roman general followed him, but fell into an adroitly laid ambuscade, in which he lost the half of his army and was himself captured and slain; with difficulty the rest of the troops escaped to the colony of Carteia near to the Straits. In all haste 5000 men of the Spanish militia were despatched from the Ebro to reinforce the defeated Romans;

¹ The chronology of the war with Viriathus is far from being precisely settled. It is certain that the appearance of Viriathus dates from the conflict with Vetilius (Appian, *Hisp.* 61; Liv. lii.; Oros. v. 4), and that he perished in $\frac{615}{139}$ (Diod. *Vat.* p. 110, &c.); the duration of his government is reckoned at eight (Appian, *Hisp.* 63), ten (Justin, xlv. 2), eleven (Diodorus, p. 597), fourteen (Liv. liv.; Eutrop. iv. 16; Oros. v. 4; Flor. i. 33), and twenty years (Vellei. ii. 90). The first estimate possesses some probability, because the appearance of Viriathus is connected both in Diodorus (p. 591; *Vat.* p. 107, 108) and in Orosius (v. 4) with the destruction of Corinth. Of the Roman governors, with whom Viriathus fought, several undoubtedly belonged to the northern province; for though Viriathus was at work chiefly in the southern, he was not exclusively so (Liv. lii.); consequently we must not calculate the number of the years of his leadership by the number of these names.

but Viriathus destroyed the corps while still on its march, and

homely habits of a shepherd. No badge distinguished him from the common soldier. He rose from the richly adorned marriage-table of his father-in-law, the prince Astolpa in Roman Spain, without having touched the golden plate and the sumptuous fare, lifted his bride on horseback, and rode off with her to his mountains. He never took more of the spoil than the share which he allotted to each of his comrades. The soldier recognised the general simply by his tall figure, by his striking sallies of wit, and above all by the fact that he surpassed every one of his men in temperance as well as in toil, sleeping always in full armour and fighting in front of all in battle. It seemed as if in that thoroughly prosaic age one of the Homeric heroes had reappeared: the name of Viriathus resounded far and wide through Spain, and the brave nation conceived that in him at length it had found the man who was destined to break the fetters of alien domination.

Extraordinary successes in northern and southern Spain marked the next years of his leadership (147-143). After destroying the vanguard of the praetor Gaius Plautius, Viriathus had the skill to lure him over to the right bank of the Tagus, and there to defeat him so emphatically that the Roman general went into winter quarters in the middle of summer—on which he was afterwards charged before the people with having deceived the Roman community, and was compelled to live in exile. In like manner the army of the governor—apparently of the Hither province—Claudius Unimanus was destroyed, that of Gaius Negidius was vanquished, and the level country

with shame and consternation of the victories of the barbarian king. The conduct of the Spanish war was now committed to a more trustworthy officer, the consul Quintus Fabius Maximus Aemilianus, the second son of the victor of Pydna (143). But the Romans no longer ventured to send the experienced veterans, who had just returned from Macedonia and Asia, forth anew to the detested Spanish war, the two legions, which Maximus brought with him, were recent levies and scarcely more to be

trusted than the old utterly demoralised Spanish army. After the first conflicts had again issued favourably for the Lusitanians, the prudent general kept together his troops for the remainder of the year in the camp at Urso (Osuna, south-east from Seville) without accepting the enemy's offer of battle, and only took the field afresh in the following year ($\frac{619}{134}$), after his troops had been qualified for fighting by pettier warfare; he was then enabled to maintain the superiority, and after successful feats of arms went into winter quarters at Corduba. But when the cowardly and incapable praetor Quinctius took the command in room of Maximus, the Romans again suffered defeat after defeat, and their general in the middle of summer shut himself up in Corduba, while the bands of Viriathus overran the southern province ($\frac{611}{133}$).

His successor Quintus Fabius Maximus Servilianus, the adopted brother of Maximus Aemilianus, was sent to the peninsula with two fresh legions and ten elephants; he endeavoured to penetrate into the Lusitanian country, but after a series of indecisive conflicts and an assault on the Roman camp, which was with difficulty repulsed, he found himself compelled to retreat to the Roman territory. Viriathus followed him into the province, but as his troops after the wont of Spanish insurrectionary armies suddenly melted away, he was obliged to return to Lusitania ($\frac{612}{132}$). Next year ($\frac{613}{131}$) Servilianus resumed the offensive, traversed the districts on the Baetis and Anas, and then advancing into Lusitania occupied a great many towns. A large number of the insurgents fell into his hands; the leaders—of whom there were about 500—were executed: those who had gone over from Roman territory to the enemy had their hands cut off; the remaining multitude were sold into slavery. But on this occasion also the Spanish war proved true to its fickle and capricious character. After all these successes the Roman army was attacked by Viriathus while it was besieging Erisane, defeated and driven to a rock where it was wholly in the power of the enemy. Viriathus, however, was content, like the Samnite general formerly at the Caudine pass, to conclude a peace with Servilianus, in which the community of the Lusitanians was recognised as sovereign and Viriathus acknowledged as its king. The power of the Romans had not increased more than the national sense of honour had declined: in the capital men were glad to be rid of the irksome war, and the senate and people ratified the treaty. But Quintus Servilius Caepio, the full brother of Servilianus and his successor in office, was far from satisfied with this complaisance; and the senate was weak

enough first to authorise the consul to undertake secret machinations against Viriathus, and then to view at least with indulgence his open breach of faith, for which there was no palliation. So Caepio invaded Lusitania, and traversed the land as far as the territories of the Vettones and Gallaeci, Viriathus declined a conflict with the superior force, and by dexterous movements evaded his antagonist (†14). But when in the ensuing year (†15) Caepio renewed the attack, and was supported by the army, which had in the meantime become available from the northern province, making its appearance under Marcus Popilius in Lusitania, Viriathus sued for peace on any terms. He was required to give up to the Romans all who had passed over to him from the Roman territory, amongst whom was his own father-in-law, he did so, and the Romans ordered them to be executed or to have their hands cut off. But this was not sufficient, the Romans were not in the habit of announcing to the vanquished all at once their destined fate.

One behest after another was issued to the Lusitanians, each successive demand more intolerable than its predecessor, and at length they were required even to surrender their arms. Then Viriathus recollected the fate of his countrymen whom Galba had caused to be disarmed, and grasped his sword afresh. But it was already too late. His wavering had sown the seeds of treachery among those who were immediately around him, three of his confidants, Audas, Ditalco, and Minucius from Urso, despairing of the possibility of renewed victory, procured from the king permission once more to enter into negotiations for peace with Caepio, and employed it for the purpose of selling the life of the Lusitanian hero to the foreigners in return for the assurance of personal amnesty and further rewards. On their return to the camp they assured the king of the favourable issue of their negotiations, and in the following night stabbed him while asleep in his tent. The Lusitanians honoured the illustrious chief by an unparalleled funeral solemnity at which two hundred pairs of champions fought in the funeral games; and still more highly by the fact, that they did not renounce the struggle, but nominated Tautamus as their commander-in-chief in room of the fallen hero. The plan projected by the latter for wresting Séguntum from the Romans was sufficiently bold, but the new general possessed neither the wise moderation nor the military skill of his predecessor. The expedition was a total failure, and the army on its return was attacked in crossing the Bætis and compelled to surrender unconditionally. Thus was

Lusitania subdued, far more by treachery and assassination on the part of foreigners and natives than by honourable war.

While the southern province was scourged by Viriathus and the Lusitanians, a second and not less serious war had, not without their help, broken out in the northern province among the Celtiberian nations. The brilliant successes of Viriathus induced the Arevacae likewise in $\frac{611}{143}, \frac{612}{143}$ to rise against the Romans; and on that account the consul Quintus Caecilius Metellus, who was sent to Spain to relieve Maximus Aemilianus, did not proceed to the southern province, but turned against the Celtiberians. In the contest with them, and more especially during the siege of the town of Contrebia which was deemed impregnable, he showed the same ability which he had displayed in vanquishing the Macedonian pretender; after his two years' administration ($\frac{611}{143}, \frac{612}{143}$) the northern province was reduced to obedience. The two cities of Termantia and Numantia alone had not yet opened their gates to the Romans; but in their case also a capitulation had been almost concluded, and the greater part of the conditions had been fulfilled by the Spaniards. When required, however, to deliver up their arms, they were restrained like Viriathus by their genuine Spanish pride in the possession of a well-handled sword, and they resolved to continue the war under the daring Megaravici. It seemed folly: the consular army, the command of which was taken up in $\frac{613}{141}$ by the consul Quintus Pompeius, was four times as numerous as the whole population capable of bearing arms in Numantia. But the general, who was wholly unacquainted with war, sustained defeats so severe under the walls of the two cities ($\frac{613}{141}, \frac{614}{140}$), that he preferred at length to procure by means of negotiations the peace which he could not compel. With Termantia a definitive agreement must have taken place. In the case of the Numantines the Roman general liberated their captives, and summoned the community under the secret promise of favourable treatment to surrender to him at discretion. The Numantines, weary of the war, consented, and the general actually limited his demands to the smallest possible measure. Prisoners of war, deserters, and hostages were delivered up, and the stipulated sum of money was mostly paid, when in $\frac{615}{139}$ the new general Marcus Popillius Laenas arrived in the camp. As soon as Pompeius saw the burden of command devolve on other shoulders, he, with a view to escape from the reckoning that awaited him at Rome for a peace which was according to Roman ideas disgraceful, lighted on the expedient of not merely breaking, but of disowning his word;

and when the Numantines came to make their last payment, in the presence of their officers and his own he flatly denied the conclusion of the agreement. The matter was referred for judicial decision to the senate at Rome. While it was discussed there, the war before Numantia was suspended, and Laenas occupied himself with an expedition to Lusitania where he helped to accelerate the catastrophe of Viriathus, and with a foray against the Lusones, neighbours of the Numantines. When at length the decision of the senate arrived, its purport was that the war should be continued—the state became thus a party to the knavery of Pompeius.

With unimpaired courage and increased resentment the Numantines fought against them. Mancinus, however, was not so much by the arms of the Numantines, as by the lax and wretched military discipline of the Roman generals and by—

the Roman army to evacuate the camp by night without orders, and to seek shelter in the entrenchments constructed sixteen years before by Nobilior (p. 5). The Numantines, informed of their sudden departure, hotly pursued the fugitive army, and surrounded it: there remained to it no choice save to fight its way with sword in hand through the enemy, or to conclude peace on the terms laid down by the Numantines. Although the consul was personally a man of honour, he was weak and little known. *Tiberius Gracchus*, who served in the army as quaestor, had more influence with the Celtiberians from the hereditary respect in which he was held on account of his father who had so wisely regulated the province of the Ebro, and induced the Numantines to be content with an equitable treaty of peace sworn to by all the staff-officers. *But the senate not only recalled the general immediately, but after long deliberation caused a proposal to be submitted to the burgesses that the convention should be treated as they had formerly treated that of Caudium, in other words, that they should refuse its ratification and should devolve the responsibility on those who had concluded it. By right this category ought to have included all the officers who had sworn to the treaty; but Gracchus and the others were saved by their connections; Mancinus alone, who did*

not belong to the circle of the highest aristocracy, was destined to pay the penalty for his own and others' guilt. Stripped of his insignia, the Roman consular was conducted to the enemy's outposts, and, when the Numantines refused to receive him that they might not on their part acknowledge the treaty as null, the late commander-in-chief stood in his shirt with his hands tied behind his back for a whole day before the gates of Numantia, a pitiful spectacle to friend and foe. Yet the bitter lesson seemed utterly lost on the successor of Mancinus, his colleague in the consulship, Marcus Aemilius Lepidus. While the discussions as to the treaty with Mancinus were pending in Rome, he attacked the free nation of the Vaccaei under frivolous pretexts just as Lucullus had done sixteen years before, and began in concert with the general of the Further province to besiege Pallantia ($\frac{618}{136}$). A decree of the senate enjoined him to desist from the war; nevertheless, under the pretext that the circumstances had meanwhile changed, he continued the siege. In doing so he showed himself as bad a soldier as he was a bad citizen. After lying so long before the large and strong city that his supplies in that rugged and hostile country failed, he was obliged to leave behind all the sick and wounded and to undertake a retreat, in which the pursuing Pallantines destroyed half of his soldiers, and, if they had not broken off the pursuit too early, would probably have utterly annihilated the Roman army, which was already in full course of dissolution. For this fault a fine was imposed on the highborn general at his return. His successors Lucius Furius Philus ($\frac{618}{136}$) and Gaius Calpurnius Piso ($\frac{619}{136}$) had again to wage war against the Numantines; and, inasmuch as they did nothing at all, they fortunately came home without defeat.

Even the Roman government began at length to perceive that matters could no longer continue on this footing; they resolved to entrust the subjugation of the small Spanish country town, as an extraordinary measure, to Scipio Aemilianus the first general of Rome. The pecuniary means for carrying on the war were indeed doled out to him with preposterous parsimony, and the permission to levy soldiers which he asked was even directly refused—a circumstance due, probably, to coterie-intrigues and to the fear of being burdensome to the sovereign people. But a great number of friends and clients voluntarily accompanied him; among them was his brother Maximus Aemilianus, who some years before had commanded with distinction against Viriathus. Supported by this trusty band,

which

reorgar

camp-followers had to take their departure—*as many* as 2000 courtesans, and an endless number of soothsayers and priests of all sorts—and, if the soldier was not available for fighting, he had at least to work in the trenches and to march. During the first summer the general avoided any conflict with the Numantines, he contented himself with destroying the stores in the surrounding country, and with chastising the Vaccaeans who sold corn to the Numantines, and compelling them to acknowledge the supremacy of Rome. It was only towards winter that Scipio drew together his army round Numantia. Besides the Numidian contingent of horsemen infantry, and twelve elephants led by the prince Jugurtha, and the numerous Spanish contingents, there were four legions, in all a force of 60,000 men investing a city whose citizens capable of bearing arms did not exceed 8000 at the most. Nevertheless the besieged frequently offered battle, but Scipio, perceiving

that a *prolongation* of many years was not to be

flight of the legionaries, *circum-*

ance of the general in person, justified his tactics only too forcibly. Never did a general treat his soldiers more contemptuously than Scipio treated the Numantine army, and he showed his opinion of it not only by bitter speeches, but above all by the course of action which he adopted. For the first time the Romans waged war by means of mattock and spade, where it depended on themselves alone whether they should use the sword. Around the whole circuit of the city, which was nearly three miles, there was constructed a double line of circumvallation of twice that extent, provided with walls, towers, and ditches. and the river Douro, by which at first some supplies had reached the besieged through the efforts of bold boatmen and divers, was at length closed. Thus in all probability the town, which they did not venture to assault, could not fail to be reduced through famine, the more so, as it had not been possible for the citizens to lay in provisions during the last summer. The Numantines soon suffered from want of everything. One of their boldest men Retogenes, cut his way with a few companions through the lines of the enemy, and his touching entreaty that kinsmen should not be allowed to perish without help produced a great effect in Lulia at least, one of the towns

of the Arevacae. But before the citizens of Lutia had come to a decision, Scipio, having received information from the partisans of Rome in the town, appeared with a superior force before its walls, and compelled the authorities to deliver up to him the leaders of the movement, 400 of the flower of the youth, whose hands were all cut off by order of the Roman general. The Numantines, thus deprived of their last hope, sent to Scipio to negotiate as to their submission and called on the brave man to spare the brave; but when the envoys on their return announced that Scipio required unconditional surrender, they were torn in pieces by the furious multitude, and a fresh interval elapsed before famine and pestilence had completed their work. At length a second message was sent to the Roman head-quarters, that the town was now ready to submit at discretion. When the citizens were accordingly instructed to appear on the following day before the gates, they asked for some days' delay, to allow those of their number who had determined not to survive the loss of liberty time to die. It was granted, and not a few took advantage of it. At last the miserable remnant appeared before the gates. Scipio chose fifty of the most eminent to form part of his triumphal procession; the rest were sold into slavery, the city was levelled with the ground, and its territory was distributed among the neighbouring towns. This occurred in the autumn of $\frac{621}{133}$, fifteen months after Scipio had assumed the command.

The fall of Numantia struck at the root of the opposition that was still here and there stirring against Rome; military demonstrations and the imposition of fines sufficed to secure the acknowledgment of the Roman supremacy in all Hither Spain.

In Further Spain the Roman dominion was confirmed and extended by the subjugation of the Lusitanians. The consul Decimus Junius Brutus, who came in Caepio's room, settled the Lusitanian war-captives in the neighbourhood of Saguntum, and gave to their new town Valentia (Valencia), like Carteia, a Latin constitution ($\frac{616}{138}$); he moreover ($\frac{616}{138}$ — $\frac{618}{136}$) traversed the Iberian west coast in various directions, and was the first of the Romans to reach the shore of the Atlantic Ocean. The towns of the Lusitanians, which were obstinately defended by their inhabitants, both men and women, were subdued by him; and the hitherto independent Gallaeci were united with the Roman province after a great battle, in which 50,000 of them are said to have fallen. After the subjugation of the Vaccaeans, Lusitanians, and Gallaecians, the whole peninsula, with the excep-

yet we very clearly perceive in the history of the East, that at this period the Euphrates was no longer guarded by the phalanx of Seleucus and was not yet watched by the legions of Augustus.

It was high time to put an end to this uncertain state of things. But the only possible way of ending it was by converting the client states into Roman provinces. This could be done all the more easily, that the Roman provincial constitution in fact only concentrated military power in the hands of the Roman governor, while administration and jurisdiction in the main were, or at any rate were intended to be, retained by the communities, so that as much of the old political independence as was at all capable of life might be preserved in the form of communal freedom. The necessity for this administrative reform could not well be mistaken; the only question was, whether the senate would put it off and mar it, or whether it would have the courage and the power clearly to discern and energetically to execute what was needful.

Let us first glance at Africa. The order of things established by the Romans in Libya rested in substance on a balance of power between the Nomad kingdom of Massinissa and the city of Carthage. While the former was enlarged, confirmed, and civilised under the vigorous and sagacious government of Massinissa (ii. 191), Carthage in consequence simply of a state of peace became once more, at least in wealth and population, what it had been at the height of its political power. The Romans saw with ill-concealed and envious fear the apparently indestructible prosperity of their old rival; while hitherto they had refused to grant to it any real protection against the constantly repeated encroachments of Massinissa, they now began openly to interfere in favour of the neighbouring prince. The dispute which had been pending for more than thirty years between the city and the king as to the possession of the province of Emporia on the Lesser Syrtis, one of the most fertile in the Carthaginian territory, was at length (about 533) decided by Roman commissioners to the effect that the Carthaginians should evacuate those towns of Emporia which still remained in their possession, and should pay 500 talents (£120,000) to the king as compensation for the illegal enjoyment of the territory. The consequence was, that Massinissa immediately seized another Carthaginian district on the western frontier of their territory, the town of Tusca and the great plains near the Bagradas; no course was left to the Carthaginians but to commence another hopeless process at Rome. After long and, beyond doubt,

intentional delay a second commission appeared in Africa, but, when the Carthaginians were unwilling to commit themselves unconditionally to a decision to be pronounced by it as arbiter without an exact preliminary investigation into the question of right, and insisted on a thorough discussion of the latter question, the commissioners without further ceremony returned to Rome.

The question of right between Carthage and Massinissa thus remained unsettled, but the mission gave rise to a more important decision. The head of the commission had been the old Marcus Cato, at that time perhaps the most influential man in the senate, and, as a veteran survivor from the Hannibalic war, still filled with thorough hatred and thorough dread of the Phoenicians. With surprise and jealousy Cato had seen with his own eyes the flourishing state of the hereditary foes of Rome, the luxuriant country and the crowded streets, the immense stores of arms in the magazines and the rich materials for a fleet, already he in spirit beheld a second Hannibal wielding all these resources against Rome. In his honest and manly, but thoroughly narrow minded, fashion, he came to the conclusion that Rome could not be secure until Carthage had disappeared from the face of the earth, and immediately after his return set forth this view in the senate. Those of the aristocracy whose ideas were more enlarged, and especially Scipio Nasica, opposed this paltry policy with great earnestness, and showed how blind were the fears entertained regarding a mercantile city whose Phoenician inhabitants were becoming more and more disused to warlike arts and ideas, and how the existence of that rich commercial city was quite compatible with the political supremacy of Rome. Even the conversion of Carthage into a Roman provincial town might have been practicable, and the submission of the Phoenicians, desired not the submission, but the destruction of the city. His policy, as it would seem, found allies partly in the statesmen who were inclined to bring the transmarine territories into immediate dependence on Rome, partly and especially in the mighty influence of the Roman bankers and great capitalists on whom, after the destruction of the rich moneyed and mercantile city, its inheritance would necessarily devolve. The majority resolved at the first fitting opportunity—respect for public opinion required that they should wait for such—to bring about war with Carthage, or rather the destruction of the city.

The desired occasion was soon found. The provoking violations of right on the part of Massinissa and the Romans brought to the helm in Carthage Hasdrubal and Carthalo, the leaders of the patriotic party, which was not indeed, like the Achaeans, disposed to revolt against the Roman supremacy, but was at least resolved to defend, if necessary, by arms against Massinissa the stipulated rights of the Carthaginians. The patriots ordered forty of the most decided partisans of Massinissa to be banished from the city, and made the people swear that they would on no account ever permit their return; at the same time, in order to repel the attacks that might be expected from Massinissa, they formed out of the free Numidians a numerous army under Arcobarzanes, the grandson of Syphax (about $\frac{600}{184}$). Massinissa, however, was prudent enough not to take arms now, but to submit himself unconditionally to the decision of the Romans respecting the disputed territory on the Bagradas; and thus the Romans could assert with some plausibility that the Carthaginian preparations must have been directed against them, and could insist on the immediate dismissal of the army and destruction of the naval stores. The Carthaginian senate was disposed to consent, but the multitude prevented the execution of the decree, and the Roman envoys, who had brought this order to Carthage, were in peril of their lives. Massinissa sent his son Gulussa to Rome to report the continuance of the Carthaginian warlike preparations by land and sea, and to hasten the declaration of war. After a further embassy of ten men had confirmed the statement that Carthage was in reality arming ($\frac{600}{182}$), the senate rejected the demand of Cato for an absolute declaration of war, but resolved in a secret sitting that war should be declared if the Carthaginians would not consent to dismiss their army and to burn their materials for a fleet. Meanwhile the conflict had already begun in Africa. Massinissa had sent back the men whom the Carthaginians had banished, under the escort of his son Gulussa, to the city. When the Carthaginians closed their gates against them and killed also some of the Numidians returning home, Massinissa put his troops in motion, and the patriotic party in Carthage also prepared for the struggle. But Hasdrubal, who was placed at the head of their army, was one of the usual incapables whom the Carthaginians were in the habit of employing as generals; strutting about in his general's purple like a theatrical king, and pampering his portly person even in the camp, that vain-glorious and unwieldy man was little fitted to render help in an exigency which perhaps even the genius of

Hamilcar and the arm of Hannibal could have no longer averted. Before the eyes of Scipio Aemilianus, who, at that time a military tribune in the Spanish army, had been sent to Massinissa to bring over African elephants for his commander, and who on this occasion looked down on the conflict from a mountain "like Zeus from Ida," the Carthaginians and Numidians fought a great battle, in which the former, though reinforced by 6000 Numidian horsemen brought to them by discontented captains of Massinissa, and superior in number to the enemy, were worsted. After this defeat the Carthaginians offered to make cessions of territory and payments of money to Massinissa, and Scipio at their solicitation attempted to bring about an agreement; but the project of peace was frustrated by the refusal of the Carthaginian patriots to surrender the deserters. Hasdrubal, however, closely hemmed in by the troops of his antagonist, was compelled to grant to the latter all that he demanded—the surrender of the deserters, the return of the exiles, the delivery of arms, the marching off under the yoke, the payment of 100 talents (£24,000) annually for the next fifty years. But even this convention was not kept by the Numidians; on the contrary the disarmed remnant of the Carthaginian army was cut to pieces by them on the way home.

The Romans, who had carefully abstained from preventing the war itself by seasonable interposition, had now what they

moned to Rome, and the ships were assembled; the declaration of war might issue at any moment. The Carthaginians made every effort to avert the impending blow. Hasdrubal and Carthalo, the leaders of the patriot party, were condemned to death, and an embassy was sent to Rome to throw the responsibility on the second powers

compared with such obliging submissiveness, it seemed almost an insolence that the Carthaginians had rested content with ordering, unbidden, the execution of their most eminent men. The senate declared that the excuse of the Carthaginians was found insufficient, to the question, what in that case would suffice, the reply was given that the Carthaginians knew that

themselves. They might, no doubt, have known what the Romans wished; but yet it seemed impossible to believe that the last hour of their loved native city had really come. Once more Carthaginian envoys—on this occasion thirty in number and with unlimited powers—were sent to Rome. When they arrived, war was already declared (beginning of $\frac{605}{149}$), and the double consular army had embarked. Yet they even now attempted to dispel the storm by complete submission. The senate replied that Rome was ready to guarantee to the Carthaginian community its territory, its municipal freedom and its laws, its public and private property, provided that it would furnish to the consuls who had just departed for Sicily within the space of a month at Lilybaeum 300 hostages from the children of the leading families, and would fulfil the further orders which the consuls in conformity with their instructions should give forth. The reply has been called ambiguous; but very erroneously, as even at the time clearsighted men among the Carthaginians themselves pointed out. The circumstance that everything which they could ask was guaranteed with the single exception of the city, and that nothing was said as to stopping the embarkation of the troops for Africa, showed very clearly what the Roman intentions were; the senate acted with fearful harshness, but it did not put on the semblance of concession. The Carthaginians, however, would not open their eyes; there was no statesman found who had the power to move the unstable multitude of the city, either to thorough resistance or to thorough resignation. When they heard at the same time of the horrible decree of war and of the endurable demand for hostages, they complied immediately with the latter, and still clung to hope, because they had not the courage fully to realise the import of surrendering themselves beforehand to the arbitrary will of a mortal foe. The consuls sent the hostages from Lilybaeum to Rome, and informed the Carthaginian envoys that they would learn further particulars in Africa. The landing was accomplished without resistance, and the provisions demanded were supplied. When the Gerusia of Carthage appeared in a body at the head-quarters in Utica to receive the further orders, the consuls required in the first instance the disarming of the city. To the question of the Carthaginians, who was in that case to protect them even against their own emigrants—against the army, which had swelled to 20,000 men, under the command of Hasdrubal who had saved himself from the sentence of death by flight—it was

replied, that this would be provided for by the Romans. Accordingly the council of the city obsequiously appeared before the consuls with all their fleet-material, all the military stores of the public magazines, all the arms that were found in the possession of private persons—to the number of 3000 catapults and 200,000 sets of armour—and inquired whether anything more was desired. Then the consul Lucius Marcus Censorinus rose and announced to the council, that in accordance with the instructions given by the senate the existing city was to be destroyed, but that the inhabitants were at liberty to settle anew in their territory wherever they chose, provided it were at a distance of at least ten miles from the sea.

This fearful command aroused in the Phœnicians all the—shall we say magnanimous or frenzied?—enthusiasm, which was displayed previously by the Tyrians against Alexander, and subsequently by the Jews against Vespasian. Unparalleled as was the patience with which this nation could endure bondage and oppression, as unparalleled was now the tumultuous fury of that mercantile and seafaring population, when the things at stake were not the state and freedom, but the beloved soil of their ancestral city and their venerable and dear home beside the sea. Hope and deliverance were out of the question; unconditional submission.

... what was inevitable was, like the *canon* ... icane, drowned amidst the furious yells of the multitude; which, in its frantic rage, laid hands on the magistrates of the city who had counselled the surrender of the hostages and arms, made such of the innocent bearers of the news as had ventured at all to return home expiate their terrible tidings, and tore in pieces the Italians ... in the city by way of avenging ... its native home. ... unarmed as they ... es were closed; ... that had been ... rusted to ... a body

were declared free. The ally of ... fugitive Hasdrubal—which was in possession of the whole Carthaginian territory with the exception of the towns on the east coast occupied by the Romans, viz. Hadrumetum, Little Leptis, Thapsus and Achulla, and the city of Utica, and offered an invaluable support for the defence—was entreated not to refuse

its aid to the commonwealth in this dire emergency. At the same time, concealing in true Phœnician style the most unbounded resentment under the cloak of humility, they attempted to deceive the enemy. A message was sent to the consuls to request a thirty days' armistice for the despatch of an embassy to Rome. The Carthaginians were well aware that the generals neither would nor could grant this request, which had been refused already; but the consuls were confirmed by it in the natural supposition that after the first outbreak of despair the utterly defenceless city would submit, and accordingly postponed the attack. The precious interval was employed in preparing catapults and armour; day and night all, without distinction of age or sex, were occupied in constructing machines and forging arms; the public buildings were torn down to procure timber and metal; women cut off their hair to furnish the strings indispensable for the catapults; in an incredibly short time the walls and the men were once more armed. That all this could be done without the consuls, who were but a few miles off, learning anything of it, is not the least marvellous feature in this marvellous movement animated by a truly enthusiastic, and in fact superhuman, national hatred. When at length the consuls, weary of waiting, broke up from their camp at Utica, and thought that they should be able to scale the naked walls with ladders, they found to their surprise and horror the battlements crowned anew with catapults, and the large populous city, which they had hoped to occupy like an open village, able and ready to defend itself to the last man.

Carthage was rendered very strong both by the nature of its situation¹ and by the art of its inhabitants, who had very frequently to depend on the protection of its walls. Into the broad gulf of Tunis, which is bounded on the west by Cape Farina and on the east by Capè Bon, there projects in a direction from west to east a promontory, which is encompassed on three sides by the sea and is connected with the mainland only towards the west. This promontory, at its narrowest part only about two miles broad and on the whole flat, again expands towards the gulf, and terminates there in the two heights of Jebel-Khawi and Sidi bu Said, between which extends the plain

¹ The line of the coast has been in the course of centuries so much changed that the former local relations are but imperfectly recognisable on the ancient site. The name of the city is preserved by Cape Cartagena—also called from the saint's tomb found there Ras Sidi bu Said—the eastern headland of the peninsula, projecting into the gulf with its highest point rising to 393 feet above the level of the sea.

of El Mersa. On its southern portion which ends in the height of Sidi bu Said lay the city of Carthage. The pretty steep

On the wall along the west or landward side, on the other hand, where nature afforded no protection, every appliance within the power of the art of fortification in those times was expended. It consisted, as its recently discovered remains exactly tallying with the description of Polybius have shown, of an outer wall of six and a half feet in thickness and immense casemates constructed behind this wall probably along its whole extent; these were separated from the outer wall by a covered way six feet broad, and had a width of fourteen feet, exclusive of the front and back walls, each of which was fully three feet broad¹. This

¹ The dimensions given by Beulé (*Fouilles à Carthage*, 1861) are as follows in mètres and in Greek feet (1=0.309 mètre) —

Outer wall	2 mètres=	6½ feet
Corridor	1 9 " =	6 "
Front wall of casemates	1 " =	3½ "
Casemate rooms	4 2 " =	14 "
Back wall of casemates	1 " =	3½ "

Whole breadth of the walls 10 1 mètres=33 feet

On the landward side the wall was 10 1 mètres=33 feet wide

weaker from the first or was early neglected. The length of the wall as a whole cannot be stated with precision, but it must have been very considerable, for three hundred elephants were stabled there, and the stores for their fodder and perhaps other spaces also as well as the gates are to be taken

enormous wall, composed throughout of large hewn blocks, rose in two stories, exclusive of the battlements and the huge towers four stories high, to a height of forty-five feet,¹ and furnished in the lower range of the casemates stables and provender-stores for 300 elephants, in the upper range stalls for horses, magazines, and barracks.² The citadel-hill, the Byrsa (Syriac, *birtha*=citadel), a comparatively considerable rock having a height of 188 feet and at its base a circumference of fully 2000 double paces,³ was joined to this wall at its southern end, just as the rock-wall of the Capitol was joined to the city-wall of Rome. Its summit bore the huge temple of the God of Healing, resting on a basement of sixty steps. The south side of the city was washed partly by the shallow lake of Tunes towards the south-west, which was separated almost wholly from the gulf by a narrow and low tongue of land running southwards from the Carthaginian peninsula,⁴ partly by the open gulf towards the south-east. At this last spot was situated the double harbour of the city, a work of human hands; the outer or commercial harbour, a longish rectangle with the narrow end turned to the sea, from whose entrance, only seventy feet wide, broad quays stretched along the water on both sides, and the inner circular war-harbour, the Cothon,⁵ with the island containing the admiral's house in the middle, which was approached through the outer harbour. Between the two passed the city wall, into account. It was very natural that the inner city, within whose walls the Byrsa was included, should, especially by way of contrast to the suburb of Magalia which had its separate circumvallation, be sometimes itself called Byrsa (App. *Pun.* 117; Nepos, *ap. Serv. Aen.* i. 368).

¹ Such is the height given by Appian, *l.c.*; Diodorus gives the height, probably inclusive of the battlements, at 40 cubits or 60 feet. The remnant preserved is still from 13 to 16 feet (4-5 mètres) high.

² The rooms of a horse-shoe shape brought to light in excavation have a depth of 14, and a breadth of 11, Greek feet; the width of the entrances is not specified. Whether these dimensions and the proportions of the corridor suffice for our recognising them as elephants' stalls, remains to be settled by a more accurate investigation. The partition-walls, which separate the apartments, have a thickness of 1.1 mètre=3½ feet.

³ Oros. iv. 22. Fully 2000 paces, or—as Polybius must have said—16 *stadia*, are=about 3000 mètres. The citadel-hill on which the church of St. Louis now stands, measures at the top about 1400, half way up about 2600, mètres in circumference (Beulé, p. 22); for the circumference at the base that estimate will very well suffice.

⁴ It now bears the fort Goletta.

⁵ That this Phœnician word signifies a basin excavated in a circular shape, is shown both by Diodorus (iii. 44), and by its being employed by the Greeks to denote a "cup." It thus suits only the inner harbour of Carthage, and in that sense it is used by Strabo (xvii. 2, 14, where it is strictly applied to the admiral's island) and Fest. *Ep. v. Cothones*, p. 37. Appian (*Pun.* 127) is not quite accurate in describing the rectangular harbour in front of the Cothon as part of it.

which turning eastward from the Byrsa excluded the tongue of land and the outer harbour, but included the war-harbour, so that the entrance to the latter must be conceived as capable of being closed like a gate. Not far from the war-harbour lay the market-place, which was connected by three narrow streets with the citadel open on the side towards the town. To the north of, and beyond, the city proper, the pretty considerable space of the modern El Mersa, even at that time occupied in great part by villas and well-watered gardens, and then called Magalia, had a circumvallation of its own dovetailed into the city wall. On the opposite point of the peninsula, the Jebel-Khawi near the

These three—together filled

next the gulf, and were only accessible by the two highways leading to Utica and Tunes along that narrow tongue of land, which, although not closed by a wall, yet afforded a most advantageous position for the armies taking their stand under the protection of the capital with the view of protecting it in return.

The difficult task of reducing so well fortified a city was rendered still more difficult by the fact, that the resources of the capital itself and of its territory which still included 800 townships and was mostly under the power of the emigrant party on the one hand, and the numerous tribes of the free or half-free on the other enabled the Carthage to keep a from the desperate

perform, when they now found themselves compelled to commence a regular siege. Manius Manilius, who commanded the land army, pitched his camp opposite the wall of the citadel, while Lucius Censorinus stationed himself with the fleet on the lake and there began operations on the tongue of land. The Carthaginian army, under Hasdrubal, encamped on the other side of the lake near the fortress of Nephesis, whence it obstructed the labours of the Roman soldiers despatched to cut timber for constructing machines, and the able cavalry-leader in particular, Himilco Phameas, slew many of the Romans. Censorinus fitted up two large battering rams on the tongue, and made a breach with them at this weakest place of the wall; but, as evening had set in, the assault had to be postponed. During the night the

besieged succeeded in filling up a great part of the breach, and in so damaging the Roman machines by a sortie that they could not work next day. Nevertheless the Romans ventured on the assault; but they found the breach and the portions of the wall and houses in the neighbourhood so strongly occupied, and advanced with such imprudence, that they were repulsed with severe loss and would have suffered still greater damage, had not the military tribune Scipio Aemilianus, foreseeing the issue of the foolhardy attack, kept together his men in front of the walls and thus intercepted the fugitives. Manilius accomplished still less against the impregnable wall of the citadel. The siege thus lingered on. The diseases engendered in the camp by the heat of summer, the departure of Censorinus the abler general, the ill-humour and inaction of Massinissa who was naturally far from pleased to see the Romans taking for themselves the booty which he had long coveted, and the death of the king at the age of ninety which ensued soon after (end of § 25), utterly arrested the offensive operations of the Romans. They had enough to do in protecting their ships against the Carthaginian incendiaries and their camp against nocturnal surprises, and in securing food for their men and horses by the construction of a harbour-fort and by forays in the neighbourhood. Two expeditions directed against Hasdrubal remained without success; and in fact the first, badly led over difficult ground, had almost terminated in a formal defeat. But, while the course of the war was inglorious for the general and the army, the military tribune Scipio achieved in it brilliant distinction. It was he who, on occasion of a nocturnal attack by the enemy on the Roman camp, starting with some squadrons of horse and taking the enemy in rear, compelled him to retreat. On the first expedition to Nepheris, when the passage of the river had taken place in opposition to his advice and had almost occasioned the destruction of the army, by a bold attack in flank he relieved the pressure on the retreating troops, and by his devoted and heroic courage rescued a division which had been given up as lost. While the other officers, and the consul in particular, by their perfidy deterred the towns and party-leaders that were inclined to negotiate, Scipio succeeded in inducing one of the ablest of the latter, Himilco Phameas, to pass over to the Romans with 2200 cavalry. Lastly, after he had in fulfilment of the charge of the dying Massinissa divided his kingdom among his three sons, Micipsa, Gulussa, and Mastanabal, he brought to the Roman army in Gulussa a cavalry-leader worthy of his father, and thereby

remedied the want, which had hitherto been seriously felt, of light cavalry. His refined and yet simple demeanour, which recalled rather his own father than him whose name he bore, overcame even envy, and in the camp as in the capital the name of Scipio was beloved. He only is a living man, the rest are gliding shades.¹

While these events were passing, the close of the year had come and with it a change of commanders; the consul Lucius Piso (148) was some-
 the land army,

But, if their predecessors all Instead of prosecuting the siege of Carthage or subduing the army of Hasdrubal, Piso employed himself in attacking the small maritime towns of the Phoenicians, and that mostly without success. Clubea, for example, repulsed him, and he was obliged to have-
 having lost the besieging apparatus which he

but the pillage of the town in opposition to his pledged word of honour was not specially favourable to the progress of the Roman arms. The courage of the Carthaginians rose. Bithyas, a Numidian sheik, passed over to them with 800 horse; Carthaginian envoys were enabled to attempt negotiations with the kings of Numidia and Mauretania and even with Philip the Macedonian pretender. It was perhaps internal intrigues—Hasdrubal the emigrant brought the general of the same name who commanded in the city, into suspicion on account of his relationship with Massinissa, and caused him to be put to death in the senate-house—rather than the activity of the Romans that prevented things from assuming a turn still more favourable for Carthage.

With the view of producing a change in the state of African affairs, which excited uneasiness, the Romans resorted to the extraordinary measure of entrusting the conduct of the war to the only man who had as yet brought home honour from the Libyan plains, and who was recommended for this war by his very name. Instead of calling Scipio to the ædileship for which

¹ O'ne vivit, et de ceteris discedit

he was a candidate, they gave to him the consulship before the usual time, setting aside the laws to the contrary effect, and committed to him by special decree the conduct of the African war. He arrived ($\frac{607}{147}$) in Utica at a very critical moment. The Roman admiral Mancinus, charged by Piso with the nominal continuance of the siege of the capital, had occupied a steep cliff, far remote from the inhabited district and scarcely defended, on the almost inaccessible seaward side of the suburb of Magalia, and had united nearly his whole not very numerous force there, in the hope of being able to penetrate thence into the outer town. In fact the assailants had been for a moment within its gates and the camp-followers had flocked forward in a body in the hope of spoil, when they were again driven back to the cliff and, being without supplies and almost cut off, were in the greatest danger. Scipio found matters in that position. He had hardly arrived when he despatched the troops which he had brought with him and the militia of Utica by sea to the threatened point, and succeeded in saving its garrison and holding the cliff itself. After this danger was averted, the general proceeded to the camp of Piso to take the command and bring the army back to Carthage. Hasdrubal and Bithyas availed themselves of his absence to move their camp immediately up to the city, and to renew the attack on the garrison of the cliff before Magalia; but Scipio appeared with the vanguard of the main army in sufficient time to afford assistance to the post. Then the siege began afresh and more earnestly. First of all Scipio cleared the camp of the mass of camp-followers and sutlers and once more tightened the relaxed reins of discipline. Military operations were soon resumed with increased vigour. In an attack by night on the suburb the Romans succeeded in passing from a tower—placed in front of the walls and equal to them in height—on to the battlements, and opened a little gate through which the whole army entered. The Carthaginians abandoned the suburb and their camp before the gates, and gave the chief command of the garrison of the city, amounting to 30,000 men, to Hasdrubal. The new commander displayed his energy in the first instance by giving orders that all the Roman prisoners should be brought to the battlements and, after undergoing cruel tortures, should be thrown over before the eyes of the besieging army; and, when voices were raised in disapproval of the act, a reign of terror was introduced with reference to the citizens also. Scipio, meanwhile, after having confined the besieged to the city itself, sought totally to cut off

their intercourse with the outer world. He took up his head quarters on the ridge by which the Carthaginian peninsula was connected with the mainland, and, notwithstanding the various attempts of the Carthaginians to disturb his operations, constructed a great camp across the whole breadth of the isthmus, ^{which} still ran into the harbour,

of Bithyas, who availed himself of every favourable wind to sail to the city from Nepheris at the end of the lake ^{the great gain, partly vessels} of the citizens, ^{and} therefore

constructed a stone mole, ^{running from} the tongue of land between the lake and gulf into the latter, so as thus to close the mouth of the harbour. The city seemed lost, when the success of this undertaking, which was at first ridiculed by the Carthaginians as impracticable, became evident. But one surprise was balanced by another. While the Roman labourers were constructing the mole, work was going forward night and day for two months in the Carthaginian harbour without even the deserters being able to tell what were the designs of the besieged. All of a sudden, just as the Romans had completed the bar across the entrance to the harbour, fifty Carthaginian triremes and a number of boats and skiffs sailed forth from that same harbour into the gulf—while the enemy were stopping up the old mouth of the harbour towards the south, the Carthaginians had by means of a canal formed in an easterly direction procured for themselves a new outlet, which ^{to the depth of the sea at that spot could not possibly be}

^{instead of resting content with} ^{themselves at once and resolutely} ^{unprepared Roman fleet, it} must have been lost, when they returned on the third day to give battle, they found the Romans in readiness. The conflict came off without decisive result, but on their return the Carthaginian vessels so ran foul of each other in and before the entrance of the harbour, that the damage thus occasioned was equivalent to a defeat. Scipio now directed his attacks against the outer quay, which lay outside of the city walls and was only protected for the exigency by an earthen rampart of recent construction. The machines were stationed on the tongue of land and a breach was easily made, but with unexampled intrepidity the Carthaginians, wading through the shallows, assailed the besieging

implements, chased away the covering force which ran off in such a manner that Scipio was obliged to make his own troopers cut them down, and destroyed the machines. In this way they gained time to close the breach. Scipio again established the machines and set on fire the wooden towers of the enemy; by which means he obtained possession of the quay and of the outer harbour along with it. A rampart equalling the city wall in height was here constructed, and the town was now at length completely blockaded by land and sea, for the inner harbour could only be reached through the outer. To ensure the completeness of the blockade, Scipio ordered Gaius Laelius to attack the camp at Nephesis, where Diogenes now held the command; it was captured by a fortunate stratagem, and the whole countless multitude assembled there were put to death or taken prisoners. Winter had now arrived and Scipio suspended his operations, leaving famine and pestilence to complete what he had begun.

How fearfully these mighty agencies had laboured in the work of destruction during the interval while Hasdrubal continued to vaunt and to gormandise, appeared so soon as the Roman army proceeded in the spring of $\frac{608}{148}$ to attack the inner town. Hasdrubal gave orders to set fire to the outer harbour and made himself ready to repel the expected assault on the Cothon; but Laelius succeeded in scaling the wall, hardly longer defended by the famished garrison, at a point farther up and thus penetrated into the inner harbour. The city was captured, but the struggle was still by no means at an end. The assailants occupied the market-place contiguous to the small harbour, and slowly pushed their way along the three narrow streets leading from this to the citadel—slowly, for the huge houses of six stories in height had to be taken one by one; on the roofs or on beams laid over the street the soldiers penetrated from one of these fortress-like buildings to that which was adjoining or opposite, and cut down whatever they encountered there. Thus six days elapsed, terrible for the inhabitants of the city and full of difficulty and danger also for the assailants; at length they arrived in front of the steep citadel-rock, whither Hasdrubal and the force still surviving had retreated. To procure a wider approach, Scipio gave orders to set fire to the captured streets and to level the ruins; on which occasion a number of persons unable to fight, who were concealed in the houses, miserably perished. Then at last the remnant of the population, crowded together in the citadel, besought for mercy.

and the general Hasdrubal with his wife and children had thrown themselves into the temple of the God of Healing; for them—for soldiers who had deserted their posts, and for the murderer of the Roman prisoners—there were no terms. But when, yielding to famine, the most resolute of them set fire to the temple, Hasdrubal could not endure to face death; alone he ran forth to the victor and falling upon his knees pleaded for his life. It was granted; but, when his wife who with her children was among the rest on the roof of the temple saw him at the feet of Scipio, her proud heart swelled at this disgrace brought on her beloved perishing home, and, with bitter words bidding her husband be careful to save his life, she plunged first her sons and then herself into the flames. The struggle was at an end. The joy in the camp and at Rome was boundless; the noblest of the people alone were in secret ashamed of the most recent achievement of the nation. The prisoners were mostly sold as slaves; several were allowed to languish in prison; the most notable, Hasdrubal and Bithyas, were sent to the interior of Italy as Roman state-prisoners and tolerably treated. The movable property, with the exception of gold, silver, and votive gifts, was abandoned to the pillage of the soldiers. As to the temple treasures, the booty that had been in better times carried off by the Carthaginians from the Sicilian towns was restored, the bull of Phalaris, for example, was returned to the Agrigentine. The rest fell to the Roman state.

... .. stand-
 at
 ct.
 hearing for the
 demands of reason and honour, but senate ordered
 the general to level the city of Carthage and the suburb of
 Magalia with the ground, and to do the same with all the town-
 ships which had held by Carthage to the last; and thereafter to
 pass the plough over the site of Carthage so as to put an end in
 legal form to the existence of the city, and to curse the soil and
 site for ever, that neither house nor cornfield might ever reappear
 on the spot. The command was punctually obeyed. The ruins
 burned for seventeen days. Recently, when the remains of the
 Carthaginian city wall were excavated, they were found to be
 covered with a layer of ashes from four to five feet deep, filled

with half-charred pieces of wood, fragments of iron, and projectiles. Where the industrious Phoenicians had bustled and trafficked for five hundred years, Roman slaves henceforth pastured the herds of their distant masters. Scipio, however, whom nature had destined for a nobler part than that of an executioner, gazed with horror on his own work; and, instead of the joy of victory, the victor himself was haunted by a presentiment of the retribution that would inevitably follow such a misdeed.

Arrangements had still to be made as to the future organisation of the country. The earlier plan of investing the allies of Rome with the transmarine possessions that she acquired was no longer viewed with favour. Micipsa and his brothers retained in substance their former territory, including the districts recently wrested from the Carthaginians on the Bagradas and in Emporia; their long-cherished hope of obtaining Carthage as a capital was for ever frustrated; the senate presented them instead with the Carthaginian libraries. The Carthaginian territory as possessed by the city in its last days—viz., the narrow border of the African coast lying immediately opposite to Sicily, from the river Tusca (Wady Saine, opposite to the island of Galita) to Thenae (opposite to the island of Karkenah)—became a Roman province. In the interior, where the constant encroachments of Massinissa had more and more narrowed the Carthaginian dominions and Vacca, Zama, and Bulla already belonged to Numidia, the Numidians retained what they possessed. But the careful regulation of the boundary between the Roman province and the Numidian kingdom, which enclosed it on three sides, showed that Rome would by no means tolerate in reference to herself what she had permitted in reference to Carthage; while the name of the new province, Africa, on the other hand appeared to indicate that Rome did not at all regard the boundary now marked off as a definitive one. The supreme administration of the new province was entrusted to a Roman governor, whose seat was Utica. Its frontier did not need any regular defence, as the allied Numidian kingdom everywhere separated it from the inhabitants of the desert. In the matter of taxes Rome dealt on the whole with moderation. Those communities which from the beginning of the war had taken part with Rome—viz., only the maritime towns of Utica, Hadrumetum, Little Leptis, Thapsus, Achulla, and Usalis, and the inland town of Theudalis—retained their territory and became free cities; which was also the case with the newly

founded community of deserters. The territory of the city of Carthage—with the exception of a tract presented to Utica—and that of the other destroyed townships became Roman, and which was let on lease. The remaining townships in the soil and their constitution were being and until further the communities paid

annually to Rome for the use of their soil which had become Roman a definitely fixed tribute (*stipendium*) which they in their turn raised by means of a property tax levied from the individuals liable. The real gainers, however, by this destruction of the first commercial city of the West were the Roman merchants, who, as soon as Carthage lay in ashes, flocked in troops to Utica, and from this as their head-quarters began to turn to profitable account not only the Roman province, but also the Numidian and Gaetulian regions which had hitherto been closed to them.

Macedonia also disappeared about the same time as Carthage from the ranks of the nations. The four small confederacies into which the wisdom of the Roman senate had parcelled out the ancient kingdom, could not live at peace either internally or one with another. The state of matters in the country appears from a single accidentally mentioned occurrence at Phæcus, where the whole governing council of one of these confederacies were murdered on the instigation of one Damaspis. Neither the commissioners sent by the senate ($\frac{1}{2}$), nor the foreign arbiters,

after the Greek fas establish any toler-

Thrace a young man

Perseus, whom he

Laodice. He had passed his youth

Adramyttium, there he asserted that he had preserved the sure proofs of his illustrious descent. With these he had, after a

country, resorted

another. There

one or professed

to believe him, and urged the king either to state the prince in his hereditary kingdom or to cede to him the crown of Syria,

to put an end to the foolish proceeding,

to the Romans. But the

to the man, that it conf- ed

him in an Italian town without taking steps to have him even seriously guarded. Thus he had escaped to Miletus, where the civic authorities once more seized him and asked the Roman commissioners what they should do with the prisoner. The latter advised them to let him go; and they did so. He now tried his fortune further in Thrace; and, singularly enough, he obtained recognition and support there not only from Teres the chief of the Thracian barbarians, the husband of his father's sister, and Barsabas, but also from the prudent Byzantines. With Thracian support the so-called Philip invaded Macedonia, and, although he was defeated at first, he soon gained one victory over the Macedonian militia in the district of Odomantice beyond the Strymon, followed by a second on the west side of the river, which gave him possession of all Macedonia. Apocryphal as his story sounded, and decidedly as it was established that the real Philip, the son of Perseus, had died when eighteen years of age at Alba, and that this man, so far from being a Macedonian prince, was Andriscus a fuller of Adramyttium, yet the Macedonians were too much accustomed to the rule of a king not to be readily satisfied on the point of legitimacy and to return with pleasure into the old paths. Messengers arrived from the Thessalians, announcing that the pretender had advanced into their territory; the Roman commissioner Nasica, who, in the expectation that a mere remonstrance would put an end to the foolish enterprise, had been sent by the senate to Macedonia without soldiers, was obliged to call out the Achæan and Pergamene troops and to protect Thessaly against the superior force by means of the Achæans, as far as was practicable, till ($\frac{605}{148}$?) the prætor Juventius appeared with a legion. The latter attacked the Macedonians with his small force; but he himself fell, his army was almost wholly destroyed, and the greater part of Thessaly fell into the power of the Pseudo-Philip, who conducted his government there and in Macedonia with cruelty and arrogance. At length a stronger Roman army under Quintus Caecilius Metellus appeared on the scene of conflict, and, supported by a Pergamene fleet, advanced into Macedonia. In the first cavalry combat the Macedonians retained the superiority; but soon dissensions and desertions occurred in the Macedonian army, and the blunder of the pretender in dividing his army and detaching half of it to Thessaly procured for the Romans an easy and decisive victory ($\frac{606}{148}$). Philip fled to the chieftain Byzes in Thrace, whither Metellus followed him and after a second victory obtained his surrender.

had not voluntarily submitted to force. Accordingly there was no reason for depriving the Macedonians of the shadow of independence which the battle of Pydna had still left to them, nevertheless the kingdom of Alexander was now, by order of the senate, converted by Metellus into a Roman province. This case clearly showed that the Roman government had changed its system, and had resolved to substitute the relation of subjection for that of dependence, and accordingly the suppression of the four Macedonian confederacies was felt throughout the whole range of the client-states as a blow directed against all. The possessions which were formerly after the first Roman

now reunited with Macedonia, so that early as this period, reached on the north-west to a point beyond Scodra, where Illyria began. The protectorate which Rome had over Greece Proper likewise devolved, of course, on the province, which had recovered its independence. It was not, however, a free state, but that of a province, retaining its local organisation, but placed under an Italian governor and quaestor, whose names make their appearance on the native coins along with the name of the country. As tribute there was retained the old moderate land tax, as Paullus had arranged it (B.C. 168)—a sum of 100 talents (£24,000) which was allocated in fixed proportions on the several communities. Yet the land could not forget its old glorious dynasty. A few years after the subjugation of the Pseudo-Philip another pretended son of Perseus, Alexander, raised the banner of insurrection on the Nestus (Karasu), and had in a short time collected 16,000 men; but the quaestor Lucius Tremelius mastered the insurrection without difficulty and pursued the fugitive pretender as far as Dardania (164). This was the last movement of the proud national spirit of Macedonia, which two hundred years before had accomplished so great things in Hellas and Asia. Henceforward there is scarcely anything else to be told of the Macedonians, save that they continued to reckon their glorious years from the date at which the country received its definitive provincial organisation (166).

Thenceforth the defence of the northern and eastern frontiers of Macedonia or, in other words, of the frontier of Hellenic civilisation against the barbarians devolved on the Romans. It was not conducted by them with adequate forces, or, on the whole, with befitting energy; but with a primary view to his military object the great Egnatian highway was constructed, which as early as the time of Polybius ran from Apollonia and Dyrrhachium, the two chief ports on the west coast, across the interior to Thessalonica, and was afterwards prolonged to the Hebrus (Maritza).¹ The new province became the natural basis, on the one hand for the movements against the turbulent Dalmatians, and on the other hand for the numerous expeditions against the Illyrian, Celtic, and Thracian tribes settled to the north of the Grecian peninsula, which we shall afterwards have to exhibit in their historical connection.

Greece Proper had greater occasion than Macedonia to congratulate herself on the favour of the ruling power; and the Philhellenes of Rome were probably of opinion that the calamitous effects of the war with Perseus were disappearing, and that the state of things in general was improving there. The bitterest abettors of the now dominant party, Lyciscus the Aetolian, Mnasiippus the Boeotian, Chrematas the Acarnanian, the infamous Epirot Charops whom honourable Romans forbade even to enter their houses, descended one after another to the grave; another generation grew up, in which the old recollections and the old antagonisms had faded. The senate thought that the time for general forgiveness and oblivion had come, and in 194 released the survivors of those Achaean patriots who had been confined for seventeen years in Italy, and whose liberation the Achaean diet had never ceased to demand. Nevertheless they were mistaken. How little the Romans with all their Philhellenism had been successful in really conciliating Hellenic patriotism, was nowhere more clearly apparent than in the attitude of the Greeks towards the Attalids. King Eumenes II. had been, as a friend of the Romans, extremely hated in Greece (ii. 273); but scarcely had a coldness arisen between him and the Romans, when he became suddenly popular in

¹ This road was known even to the author of the pseudo-Aristotelian treatise *De Miraculis* as a commercial route between the Adriatic and Black seas, viz. as that along which the wine jars from Corcyra met half way those from Thasos and Lesbos. Even now it runs substantially in the same direction from Durazzo, crossing the mountains of Bagora (Candavian chain) at the lake of Ochrida (Lychnitis), by way of Monastir to Salonica.

Greece, and the Hellenic votary of hope expected the deliverer from a foreign yoke to come now from Pergamus as formerly from Macedonia. Social disorganisation more especially was visibly on the increase among the petty states of Hellas now left to themselves. The country became desolate not through war and pestilence, but through the daily increasing disinclination of the higher classes to trouble themselves with wife and children; on the other hand the criminal or the thoughtless flocked as hitherto chiefly to Greece, to await the recruiting officer there. The communities sank daily into deeper debt, and a corresponding want of credit: sorted in their red the neighbouring communities. The *amicitia* in the leagues also—e.g. between the voluntary and involuntary members of the Achaean confederacy—were by no means composed. If the Romans, as seems to have been the case, believed what they wished, and confided in the calm which for the moment prevailed, they were soon to learn that the younger generation in Hellas was in no respect better or wiser than the older. The Greeks directly sought an opportunity of picking a quarrel with the Romans.

In order to screen a foul transaction, Diaeus, the president of the Achaean league for the time being, about 146 B.C. threw out in the diet the assertion that the special privileges conceded by the Romans to the Lacedaemonians as members—viz., the right of appeal to the Roman senate, and the right of appeal to the Roman senate, and the right of appeal to the Roman senate at all guaranteed: a malicious falsehood, but the diet naturally believed it. And, when the Achaeans showed themselves ready to make good their assertions with arms in hand, the weaker Spartans yielded for the time, or, to speak more correctly, those whose surrender was demanded by the Achaeans left the city to appear as complainants before the Roman senate. The senate answered as usual that it would send a commission to investigate the matter; but instead of reporting this reply the envoys stated in Achaia as well as in Sparta, and in both cases falsely, that the senate had decided in their favour. The Achaeans, who felt more than ever their equality with Rome as allies and their political importance on account of the aid which the league had just rendered in Thessaly against the Pseudo-Philip, advanced in 146 under their *strategus* Damocritus into Laconia: in vain a

Roman embassy on its way to Asia, at the suggestion of Metellus, admonished them to keep the peace and to await the commissioners of the senate. A battle took place, in which nearly 1000 Spartans fell, and Sparta might have been taken if Damocritus had not been equally incapable as an officer and as a statesman. He was superseded, and his successor Diaeus, the instigator of all this mischief, zealously continued the war, while at the same time he gave to the dreaded commandant of Macedonia assurances of the full loyalty of the Achæan league. Thereupon the long-expected Roman commission made its appearance, with Aurelius Orestes at its head; hostilities were now suspended, and the Achæan diet assembled at Corinth to receive its communications. They were of an unexpected and far from agreeable character. The Romans had resolved to cancel the unnatural and forced (ii. 260) inclusion of Sparta among the Achæan states, and generally to act with vigour against the Achæans. Some years before ($\frac{591}{183}$) these had been obliged to release from their league the Aetolian town of Pleuron (ii. 261); now they were directed to renounce all the acquisitions which they had made since the second Macedonian war—viz., Corinth, Orchomenus, Argos, Sparta in the Peloponnesus, and Heraclea near Oeta—and to reduce their league to the condition in which it stood at the end of the Hannibalic war. When the Achæan deputies learned this, they rushed immediately to the market-place without even hearing the Romans to an end, and communicated the Roman demands to the multitude; whereupon the governing and the governed rabble determined with one voice to arrest at once the whole Lacedæmonians present in Corinth, because Sparta forsooth had brought on them this misfortune. The arrest accordingly took place in the most tumultuary fashion, so that the possession of Laconian names or Laconian shoes appeared sufficient ground for imprisonment: in fact they even entered the dwellings of the Roman envoys to seize the Lacedæmonians who had taken shelter there, and severe expressions were uttered against the Romans, although they did not lay hands on their persons. The envoys returned home in indignation, and made bitter and even exaggerated complaints in the senate; but the latter, with the same moderation which marked all its measures against the Greeks, confined itself at first to representations. In the mildest form, and hardly mentioning satisfaction for the insults which they had suffered, Sextus Julius Caesar repeated the commands of the Romans at the diet in Aegium (spring of $\frac{607}{147}$). But the leaders

off, and did not even attempt to hold the position of Thermopylae. But Metellus quickened the pursuit, and overtook and defeated the Greek army near Scarpheia in Locris. The loss in prisoners and dead was considerable; Critolaus was never heard of after the battle. The remains of the defeated army wandered to and fro in single troops, and everywhere sought admission in vain; the division of Patrae was destroyed in Phocis, the Arcadian select corps at Chaeronea; all northern Greece was evacuated, and only a small portion of the Achæan army and of the citizens of Thebes, who fled in a body, reached the Peloponnesus. Metellus sought by the utmost moderation to induce the Greeks to abandon their foolish resistance, and gave orders, for example, that all the Thebans, with a single exception, should be allowed their liberty; his well-meant endeavours were thwarted not by the energy of the people, but by the desperation of the leaders apprehensive for their own safety. Diaeus, who after the fall of Critolaus had resumed the chief command, summoned all men capable of bearing arms to the isthmus, and ordered 12,000 slaves, natives of Greece, to be enrolled in the army; the rich were applied to for advances, and the ranks of the friends of peace, so far as they did not purchase their lives by bribing their tyrannical masters, were thinned by bloody prosecutions. The war accordingly was continued, and after the same style. The Achæan vanguard, which, 4000 strong, was stationed under Alcámenes at Megara, dispersed as soon as it saw the Roman standards. Metellus was just about to order an attack upon the main force on the isthmus, when the consul Lucius Mummius with a few attendants arrived at the Roman head-quarters and took the command. Meanwhile the Achæans, emboldened by a successful attack on the too unguarded Roman outposts, offered battle to the Roman army, which was about twice as strong, at Leucopetra on the isthmus. The Romans were not slow to accept it. At the very first the Achæan horsemen broke off *en masse* before the Roman cavalry of six times their strength; the hoplites withstood the enemy till a flank attack by the Roman select corps brought confusion into their ranks. This terminated the resistance. Diaeus fled to his home, put his wife to death, and took poison himself. All the cities submitted without opposition; and even the impregnable Corinth, into which Mummius for three days hesitated to enter because he feared an ambush, was occupied by the Romans without a blow.

The renewed regulation of the affairs of Greece was entrusted

to a commission of ten senators in concert with the consul Mummius, who left behind him on the whole a favourable reputation in the conquered country. Doubtless it was, to say the least, a foolish thing in him to assume the name of "Achaicus" on account of his feats of war and victory, and to build in the fulness of his gratitude a temple to Hercules Victor; but, as he had not been reared in aristocratic luxury and aristocratic corruption but was a "new man" and comparatively poor, he showed himself an upright and indulgent administrator. The statement, that none of the Achaeans perished but Diacus and none of the Boeotians but Pytheas, is a rhetorical exaggeration: in Chalcis especially sad outrages occurred; but yet on the whole moderation was observed in the infliction of punishment. Mummius rejected the proposal to throw down the statues of Philopoemen, the founder of the Achaean patriotic party; the fines imposed on the communities were destined not for the Roman exchequer, but for the injured Greek cities, and were mostly remitted afterwards; and the property of those traitors who had parents or children was not sold on public account, but handed over to their relatives. The works of art alone were carried away from Corinth, Thespiae, and other cities, and were erected partly in the capital, partly in the country towns of Italy:¹ several pieces were also presented to the Isthmian, Delphic, and Olympic temples. In the definitive organisation of the country also moderation was in general displayed. It is true that, as was implied in the very introduction of the provincial constitution (ii. 61), the special confederacies, and the A in particular, were as such dissolved; the communities were isolated; and intercourse between them was hampered by the rule that no one might acquire landed property simultaneously in more than one community; and they were all subordinated to the governor of Macedonia in such a manner that the latter, as supreme military chief, exercised a superintendence over administration and justice, and could, for example, personally assume the decision of the more important criminal processes. Yet the

¹ In the Sabine villages, at Parma, and even at Italica in Spain (p. 4), several pediments marked with the name of Mummius have been brought to light, which once supported gifts forming part of the spoils.

Greek communities retained "freedom," that is, a formal sovereignty—reduced, doubtless, by the Roman hegemony to a name—which involved the property of the soil and the right to a distinct administration and jurisdiction of their own.¹ Some years later not only were the old confederacies again allowed to have a shadowy existence, but the oppressive restriction on the alienation of landed property was removed.

The communities of Thebes, Chalcis, and Corinth experienced a treatment more severe. There is no ground for censure in the fact that the two former were disarmed and converted by the

¹ The question whether Greece did or did not become a Roman province in $\frac{60.6}{146}$, virtually runs into a dispute about words. It is certain that the Greek communities throughout remained "free" (*C. I. Gr.* 1543, 15; Caesar, *B.C.* iii. 4; Appian, *Mithr.* 58; Zonar. ix. 31). But it is no less certain that Greece was then "taken possession of" by the Romans (*Tac. Ann.* xiv. 21; 1 Maccab. viii. 9, 10); that thenceforth each community paid a fixed tribute to Rome (*Pausan.* vii. 16, 6; comp. *Cic. De Prov. Cons.* 3, 5), the little island of Gyarus, for instance, paying 150 *drachmae* annually (*Strabo*, x. 485); that the "rods and axes" of the Roman governor thenceforth ruled in Greece (*Polyb.* xxxviii. 1 c.; comp. *Cic. Verr. l. 1.* 21, 55), and that he thenceforth exercised the superintendence over the constitutions of the cities (*C. I. Gr.* 1543), as well as in certain cases the criminal jurisdiction (*C. I. Gr.* 1543; *Plut. Cim.* 2), just as the senate had hitherto done; and that, lastly, the Macedonian provincial era was also in use in Greece. Between these facts there is no inconsistency, or at any rate none further than is involved in the position of the free cities generally, which are spoken of sometimes as if excluded from the province (*e.g.* *Sueton. Caes.*, 25; *Colum.* xi. 3, 26), sometimes as assigned to it (*e.g.* *Joseph. Ant. Jud.* xiv. 4, 4). The Roman domanial possessions in Greece were, no doubt, restricted to the territory of Corinth and possibly some portions of Euboea (*C. I. Gr.* 5879), and there were no subjects in the strict sense there at all; yet if we look to the relations practically subsisting between the Greek communities and the Macedonian governor, Greece may be reckoned as included in the province of Macedonia in the same manner as Massilia in the province of Narbo or Dyrrhachium in that of Macedonia. We find even cases that go much further: Cisalpine Gaul consisted after $\frac{66.5}{89}$ of mere burgess or Latin communities and was yet made a province by Sulla, and in the time of Caesar we meet with regions which consisted exclusively of burgess-communities and yet by no means ceased to be provinces. In these cases the fundamental idea of the Roman *provincia* comes out very clearly; it was primarily nothing but a "command," and all the administrative and judicial functions of the commandant were originally collateral duties and corollaries of his military position.

On the other hand, if we look to the formal sovereignty of the free communities, it must be granted that the position of Greece was not altered in point of constitutional law by the events of $\frac{60.6}{146}$. It was a difference *de facto* rather than *de jure*, when instead of the Achaean league the individual communities of Achaia now appeared by the side of Rome as tributary protected states, and when, after the erection of Macedonia as a distinct Roman province, the latter relieved the authorities of the capital of the superintendence over the Greek client-states. Greece therefore may or may not be regarded as a part of the "command" of Macedonia, according as the practical or the formal point of view preponderates; but the former is justly reckoned as the more important.

demolition of their walls into open villages, but the wholly uncalled for destruction of the flourishing Corinth, the first commercial city in Greece, remains a dark stain on the annals of Rome. By express orders from the senate the Corinthian citizens were seized, and such as were not killed were sold into slavery, the city itself was not only deprived of its walls and its citadel—a measure which, if the Romans were not disposed permanently to garrison it, was certainly inevitable—but was levelled with the ground, and all rebuilding on the desolate site was prohibited in the usual forms of accursing, part of its territory was given to Sicyon under the obligation that the latter should defray the expense of the Isthmian national festival in room of Corinth, but the greater portion was declared to be public land of Rome. Thus was extinguished “the eye of Hellas,” the last precious ornament of the Grecian land, once so rich in cities. If, however, we review the whole catastrophe, we cannot but ask—what the Greeks of old—that the Romans did—that on the contrary

the foolish perfidy and the feeble temerity of the Greeks compelled the Roman intervention. The abolition of the mock sovereignty of the leagues and of all the vague and pernicious influence of the country, and the chief of Macedonia.

however much it fell short of what was wished, was yet far better than the previous confusion and misrule of Greek confederacies and Roman commissions. The Peloponnesus

to be the great harbour of mercenaries, it is affirmed may readily be believed, that with the direct government of Rome security and prosperity in some measure returned throughout the land. The epigram of Themistocles, that ruin had averted ruin, was applied by the Hellenes of that day not altogether without reason to the loss of Greek independence. The singular indulgence, which Rome even now showed towards the Greeks, becomes fully apparent only when compared with the contemporary conduct of the same authorities towards the Spaniards and Ihoenicians. To treat barbarians with cruelty seemed not unallowable, but the Romans of this period, like the emperor Trajan in later times, deemed it “fierce and barbarous to deprive Athens and Sparta of the shadow of freedom which they still retained.” All the more marked is the contrast between this general moderation and the revolting treatment of Corinth—a treatment disapproved even by the apostles.

of the destruction of Numantia and Carthage, and far from justified, even according to Roman international law, by the abusive language uttered against the Roman deputies in the streets of Corinth. And yet it by no means proceeded from the brutality of any single individual, least of all of Mummius, but was a measure deliberated and resolved on by the Roman senate. We shall not err, if we recognise it as the work of the mercantile party, which even thus early began to interfere in politics by the side of the aristocracy proper, and which in destroying Corinth got rid of a commercial rival. If the great merchants of Rome had anything to say in the regulation of Greece, we can understand why Corinth was singled out for punishment, and why the Romans not only destroyed the city as it stood, but also prohibited any future settlement on a site so pre-eminently favourable for commerce. The Peloponnesian Argos thenceforth became the rendezvous for the Roman merchants, who were very numerous even in Greece. For the Roman wholesale traffic, however, Delos was of greater importance; a Roman free port as early as $\frac{5}{16}$ B.C., it had attracted a great part of the business of Rhodes (ii. 327), and now in a similar way entered on the heritage of Corinth. This island remained for a considerable time the chief emporium for merchandise going from the East to the West.¹

In the third and more distant continent the Roman dominion exhibited a development more imperfect than in the African and Macedono-Hellenic countries, which were separated from Italy only by narrow seas.

In Asia Minor, after the Seleucidae were driven back, the kingdom of Pergamus had become the first power. Not led astray by the traditions of the Alexandrine monarchies, but sagacious and dispassionate enough to renounce what was impossible, the Attalids kept quiet; and endeavoured not to extend their bounds nor to withdraw from the Roman hegemony, but to promote the prosperity of their empire, so far as the Romans allowed, and to foster the arts of peace. Nevertheless they did not escape the jealousy and suspicion of Rome. In possession of the European shore of the Propontis, of the west coast of Asia Minor, and of the interior as far as the Cappadocian

¹ A remarkable proof of this is found in the names employed to designate the fine bronze and copper wares of Greece, which in the time of Cicero were called indiscriminately "Corinthian" or "Delian" copper. Their designation in Italy was naturally derived not from the places of manufacture but from those of export (Plin. *H. N.* xxxiv. 2, 9); although, of course, we do not mean to deny that similar vases were manufactured in Corinth and Delos themselves.

and Cilician frontiers, and in close connection with the Syrian

and more deep decline of Macedonia and Syria, instilled apprehension in the minds even of its founders. We have already related (ii 284) how the senate sought to humble and weaken this ally after the third Macedonian war by unbecoming diplomatic artifices. The relations—perplexing from the very nature of the case—of the rulers of Pergamus towards the free or half free commercial cities within their kingdom, and towards their barbarous neighbours on its borders, became complicated still more painfully by this ill humour on the part of their patrons. As it was not clear whether, according to the treaty of peace in 190, the heights of the Taurus in Pamphylia and Pisidia belonged to the kingdom of Syria or to that of Pergamus, the brave Selgians, nominally recognising, as it would seem, the Syrian supremacy, made a prolonged and energetic resistance to Eumenes II and Attalus II in the almost inaccessible mountains of Pisidia. The Asiatic Celts also, who for a time with the permission of the Romans had yielded allegiance to Pergamus, revolted from Eumenes and, in concert with Prusias king of Bithynia the hereditary enemy of the Attalids, suddenly began war against him about 187. The king had had no time to hire mercenary troops, all his skill and valour could not prevent the Celts from defeating the Asiatic militia and overrunning his territory, the peculiar meditation, to which the Romans condescended at the request of Eumenes, has already been mentioned (ii 286). But, as soon as he had found time with the help of his well filled exchequer to raise an army capable of taking the field, he speedily drove the wild hordes over the frontier, and, although Galatia remained lost to him and his obstinately continued attempts to maintain his footing there were frustrated by Roman influence,¹ he yet, in spite of

with a date, written in the 34th year of the reign of Eumenes on the 1st day before the end of Gorpiaeus and therefore in 187. Persius the priest military aid in order to were known) a holy place occupied by Eumenes exhibits the king as a pious man and his brother Alarix were included among those which were reverted at Rome in 187.

all the open attacks and secret machinations which his neighbours and the Romans directed against him, at his death (about $\frac{5}{13}\frac{5}{9}$) left his kingdom in undiminished power. His brother Attalus II. Philadelphus ($+\frac{6}{3}\frac{1}{8}$) with Roman aid repelled the attempt of Pharnaces king of Pontus to seize the guardianship of Eumenes' son who was a minor, and reigned in the room of his nephew, like Antigonus Doson, as guardian for life. Adroit, able, pliant, a genuine Attalid, he had the art to convince the suspicious senate that the apprehensions which it had formerly cherished were baseless. The anti-Roman party accused him of applying himself to keep the land for the Romans, and of acquiescing in every insult and exaction at their hands; but, sure of Roman protection, he was able to interfere decisively in the disputes as to the succession in Syria, Cappadocia, and Bithynia. Even in the dangerous Bithynian war, which king Prusias II., surnamed the Hunter ($\frac{5}{18}\frac{2}{9} ? - \frac{6}{14}\frac{5}{9}$), a ruler who combined in his own person all the vices of barbarism and of civilisation, began against him, Roman intervention saved him—although not until he had been himself besieged in his capital, and a first warning given by the Romans had remained unattended to and had even been scoffed at by Prusias ($\frac{5}{15}\frac{8}{6} - \frac{6}{15}\frac{0}{4}$). But, when his ward Attalus III. Philometor ascended the throne ($\frac{6}{13}\frac{6}{8} - \frac{6}{15}\frac{1}{3}$), the peaceful and moderate rule of the citizen kings was replaced by the tyranny of an Asiatic sultan. The new king for instance, with a view to rid himself of the inconvenient counsel of his father's friends, assembled them in the palace, and ordered his mercenaries to put to death first them, and then their wives and children. Along with such recreations he wrote treatises on gardening, cultivated poisonous plants, and prepared wax models, till a sudden death carried him off.

With him the house of the Attalids became extinct. In such

as attempts on his part to interfere further in Gallic affairs, and to support his partisans in that quarter (Polyb. xxxi. 6, 9; xxxii. 3, 5). On the other hand it is plain from one of the letters of his successor Attalus that the times had changed, and his wishes had lowered their tone. The priest Attis appears to have at a conference at Apamea obtained once more from Attalus the promise of armed assistance; but afterwards the king writes to him that in a state council held for the purpose, at which Athenaeus (certainly the known brother of the king), Sosander, Menogenes, Chlorus, and other relatives (*ἀναγκαῖοι*) had been present, after long hesitation the majority had at length acceded to the opinion of Chlorus that nothing should be done without previously consulting the Romans; for, even if success were obtained, they would expose themselves to its forfeiture and to the evil suspicion "which they had cherished also against his brother" (Eumenes II.).

an event, according to the constitutional law which held good at least for the client states of Rome, the last ruler might dispose of the succession by testament. Whether it was the insane rancour against his subjects which had tormented the last Attalid during life that now suggested to him the thought of bequeathing his kingdom by will to the Romans, or whether his doing so was merely a further recognition of the practical supremacy of Rome, cannot be determined. The testament was made, the Romans accepted the bequest, and the question as to the land and the treasure of the Attalids threw a new apple of contention among the conflicting political parties in Rome.

In Asia also this royal testament kindled a civil war. Relying on the aversion of the Asiatics to the foreign rule which awaited them, Aristonicus, a natural son of Eumenes II, made his appearance in Leucæ, a small seaport between Smyrna and Phocæa, as a pretender to the crown. Phocæa and other towns joined him, but he was defeated at sea off Cyme by the Ephesians who saw that a steady adherence to Rome was the only possible way of preserving their privileges, and was obliged to flee into the interior. The movement was believed to have died away when he suddenly reappeared at the head of the new "citizens of the city of the sun,"¹ in other words, of the slaves whom he had called to freedom *en masse*, mastered the Lydian towns of Thyatira and Apollonis as well as a portion of the Attalic townships, and summoned bands of Thracian free-lances to join his standard. The struggle was serious. There were no Roman troops in Asia, the Asiatic free cities and the contingents of the client princes of Bithynia, Paphlagonia, Cappadocia, Pontus, Armenia, could not withstand the pretender, he penetrated by force of arms into Colophon, Samos, and Myndus and already ruled over almost all his father's kingdom, when at the close of 83 a Roman army landed in Asia. Its commander the consul and *pontifex maximus* Publius Lucinius Crassus Mucianus, one of the wealthiest and at the same time one of the most cultivated men in Rome, equally distinguished as an orator and as a jurist, was about to besiege the pretender in Leucæ, but during his preparations for it at p. 1000

¹ These strange "Heliopolites" may according to the probable view which a friend has expressed to me be accounted for by supposing that the liberated slaves constituted themselves citizens of a town *Heliopolis* and otherwise mentioned or perhaps having an existence merely in imagination which derived its name from the God of the Sun so highly esteemed in Syria.

allowed himself to be surprised and defeated by his too much undervalued opponent, and was made a prisoner in person by a Thracian band. But he did not allow such an enemy the triumph of exhibiting the Roman commander-in-chief as a captive; he provoked the barbarians, who had captured him without knowing who he was, to put him to death (beginning of 42 B.C.), and the consular was only recognised when a corpse. With him, as it would seem, fell Ariarathes king of Cappadocia. But not long after this victory Aristonicus was attacked by Marcus Perpenna, the successor of Crassus; his army was dispersed, he himself was besieged and taken prisoner in Stratonicea, and was soon afterwards executed in Rome. The subjugation of the last towns that still offered resistance and the definitive regulation of the country were committed, after the sudden death of Perpenna, to Manius Aquilius (42 B.C.). The same policy was followed as in the case of the Carthaginian territory. The eastern portion of the kingdom of the Attalids was assigned to the client kings, so as to release the Romans from the defence of the frontier and thereby from the necessity of maintaining a standing force in Asia; Telmissus (ii. 257) went to the Lycian confederacy; the European possessions in Thrace were annexed to the province of Macedonia; the rest of the territory was organised as a new Roman province, which like that of Carthage was, not without design, designated by the name of the continent in which it lay. The land was released from the taxes which had been paid to Pergamus; and it was treated with the same moderation as Hellas and Macedonia. Thus the most considerable state in Asia Minor became a Roman province.

The numerous other small states and cities of western Asia—the kingdom of Bithynia, the Paphlagonian and Gallic principalities, the Lycian, Carian, and Pamphylian confederacies, the free cities of Cyzicus and Rhodes—continued in their former circumscribed relations.

Beyond the Halys Cappadocia—after king Ariarathes V. Philopator ($\frac{59}{103} = \frac{52}{130}$) had, chiefly by the aid of the Attalids, held his ground against his brother and rival Holophernes who was supported by Syria—followed substantially the Pergamene policy, as respected both absolute devotion to Rome and the tendency to adopt Hellenic culture. He was the means of introducing that culture into the hitherto almost barbarous Cappadocia, and along with it its extravagancies also, the worship of Bacchus and the dissolute practices of the of wandering actors—the “artists” as they were. 4.

reward for the fidelity of Rome which had cost this prince his life in the struggle with the Pergamene pretender, his youthful heir Ariarathes VI was not only protected by the Romans against the usurpation attempted by the king of Pontus, but received also the south eastern part of the kingdom of the the

the sea," or more briefly the "maritime state," Pontus, increased in extent and importance. Not long after the battle of Magnesia king Pharnaces I had extended his dominion far beyond the Halys to Tius on the frontier of Bithynia, and in particular had possessed himself of the rich Sinope, which was converted from a Greek free city into the residence of the kings of Pontus. The encroachments, with at account waged war mediation had exacted from him a promise to evacuate Galatia and Paphlagonia, but

virtually retained the protectorate over the Paphlagonian and Galatian dynasts. This hypothesis alone serves to explain how Mithradates, ostensibly for his brave deeds in the war against Aristonicus, but in reality for considerable sums paid to the Roman general, came to receive Great Phrygia from the latter after the dissolution of the Attalid kingdom. How far on the other hand the kingdom of Pontus about this time extended in the direction of the Caucasus and the sources of the Euphrates, cannot be precisely determined, but it seems to have embraced the western part of Armenia about Enderes and Diwrigi, or what was called Lesser Armenia, as a dependent satrapy, while the Greater Armenia and Sophene formed distinct and independent kingdoms.

the whole the state of possession, the wide tracts on the other hand beyond the Taurus and the Upper Euphrates as far down as the valley of the Nile continued to be mainly left to themselves. No doubt the principle on which the peace of 188 B.C. with Syria was based, viz., that the Halys and the Taurus should form the

eastern boundary of the Roman dependencies (ii. 258), was not adhered to by the senate and was in its very nature untenable. The political horizon rests on illusion as well as the physical; if the state of Syria had the number of ships of war and war-elephants allowed to it prescribed in the treaty of peace (ii. 256), and if the Syrian army evacuated Egypt when half-won at the bidding of the Roman senate (ii. 289), these things implied the most complete recognition of hegemony and dependence. Accordingly the disputes as to the throne in Syria and in Egypt were referred for settlement to the Roman government. In the former after the death of Antiochus Epiphanes ($\frac{57}{181}$ — $\frac{608}{146}$) Demetrius afterwards named Soter, the son of Seleucus IV., living as a hostage at Rome, and Antiochus Eupator, a minor, the son of the last king Antiochus Epiphanes, contended for the crown; in the latter Ptolemy Philometor ($\frac{57}{181}$ — $\frac{608}{146}$), the elder of the two brothers who had reigned jointly since $\frac{57}{170}$, had been driven from the country ($\frac{590}{164}$) by the younger Ptolemy Euergetes II. or the Fat (+ $\frac{637}{117}$), and had appeared in person at Rome to obtain his restoration. Both affairs were arranged by the senate entirely through diplomatic agency, and substantially in accordance with Roman advantage. In Syria Demetrius, who had the better title, was set aside, and Antiochus Eupator was recognised as king; while the guardianship of the royal boy was entrusted by the senate to the Roman senator Gnaeus Octavius, who, as was to be expected, governed thoroughly in the interest of Rome, reduced the war-marine and the army of elephants agreeably to the treaty of $\frac{590}{164}$, and was in the fair way of completing the military ruin of the country. In Egypt not only was the restoration of Philometor accomplished, but—partly in order to put an end to the quarrel between the brothers, partly in order to weaken the still considerable power of Egypt—Cyrene was separated from that kingdom and assigned as a provision for Euergetes. “The Romans make kings of those whom they choose,” a Jew wrote not long after this, “and whom they do not choose they drive away from their country and their people.” But this was the last occasion—for a long time—on which the Roman senate came forward in the affairs of the East with that ability and energy which it had uniformly displayed in the complications with Philip, Antiochus, and Perseus. Though the internal decline of the government was late in affecting the treatment of foreign affairs, yet it did affect them at length. The government became unsteady and vacillating; they allowed the reins which they had just grasped to slacken and almost to slip

from their hands. The guardian regent of Syria was murdered at Laodicea, the rejected pretender Demetrius escaped from Rome and, setting aside the youthful prince, seized the government of his ancestral kingdom under the bold pretext that the Roman senate had fully empowered him to do so ($\frac{602}{182}$). Soon afterwards war broke out between the kings of Egypt and Cyrene respecting the possession of the island of Cyprus, which the senate had assigned first to the elder, then to the younger, and in opposition to the most recent Roman decision it finally remained with Egypt. Thus the decrees of the Roman government, in the plenitude of its power and during the most profound inward and outward peace at home, were derided by the impotent kings of the East, its name was abused, its ward and its commissioner were murdered. Seventy years before, when the Illyrians had in a similar way laid hands on Roman envoys, the senate of that day had erected a monument to the victim in the market place, and had with an army and fleet called the murderers to account. The senate of this period likewise ordered a monument to be raised to Gnaeus Octavius, as ancestral custom prescribed, but instead of embarking troops for Syria they recognised Demetrius as king of the land. They were forsooth now so powerful, that it seemed superfluous to guard their own honour. In like manner not only was Cyprus retained by Egypt in spite of the decree of the senate to the contrary, but, when after the death of Philometor ($\frac{608}{148}$) Euergetes succeeded him and so reunited the divided kingdom, the senate allowed this also to take place without opposition.

After such occurrences the Roman influence in these countries was practically destroyed, and events pursued their course there or the present without the help of the Romans, but it is necessary for the right understanding of the sequel that we should not wholly omit to notice the history of the nearer, and even of the remoter, East. While in Egypt, shut off as it is on all sides, the *status quo* did not so easily admit of change, in Asia both to the west and east of the Euphrates, the peoples and states underwent essential modifications during, and partly in consequence of, this temporary suspension of the Roman superintendence. Beyond the great desert of Iran there had arisen not long after

although diminished under Antiochus the Great, still stretched its unwieldy bulk from the Hellespont to the Median and Persian provinces, and embraced the whole basin of the Euphrates and Tigris. That king had still carried his arms beyond the desert into the territory of the Parthians and Bactrians; it was only under him that the vast state had begun to melt away. Not only had western Asia been lost in consequence of the battle of Magnesia; the total emancipation of the two Cappadocias and the two Armenias—Armenia proper in the north-east and the region of Sophene in the south-west—and their conversion from principalities dependent on Syria into independent kingdoms also belong to this period (ii. 256). Of these states Great Armenia in particular, under the Artaxiads, soon attained to a considerable position. Wounds perhaps still more dangerous were inflicted on the empire by the foolish levelling policy of his successor Antiochus Epiphanes ($\frac{529}{175} = \frac{7}{11}$). Although it was true that his kingdom resembled an aggregation of countries rather than a single state, and that the differences of nationality and religion among his subjects placed the most material obstacles in the way of the government, yet the plan of introducing throughout his dominions Hellenico-Roman manners and Hellenico-Roman worship, and of equalising the various peoples in a political as well as a religious point of view, was under any circumstances an absurdity; and all the more so from the fact, that this caricatured Joseph II. was personally far from equal to so gigantic an enterprise, and introduced his reforms in the very worst way by plundering temples on the greatest scale and insanely persecuting heretics.

One consequence of this policy was, that the inhabitants of the province next to the Egyptian frontier, the Jews, a people formerly submissive even to humility and extremely active and industrious, were driven by systematic religious persecution to open revolt (about $\frac{587}{167}$). The matter came to the senate; and, as it was just at that time with good reason indignant at Demetrius Soter and apprehensive of a combination between the Attalids and Seleucids, while the establishment of a power intermediate between Syria and Egypt was at any rate for the interest of Rome, it made no difficulty in at once recognising the freedom and autonomy of the insurgent nation (about $\frac{587}{167}$). Nothing, however, was done by Rome for the Jews except what could be done without personal exertion: in spite of the clause of the treaty concluded between the Romans and the Jews which promised Roman aid to the latter in the event of their be-

attacked, and in spite of the injunction addressed to the kings
 to march their troops through Judæa, it
 themselves to hold their
 the brave and prudent conduct of the insurrection by the heroic house of the Maccabees and the internal dissension in the Syrian empire did more for them than the letters of their powerful allies; during the strife between the Syrian kings Trypho and Demetrius Nicator autonomy and exemption from tribute were formally accorded to the Jews ($\frac{113}{142}$); and soon afterwards the head of the Maccabæan
 as even formally acknowledged

Of still more importance in the sequel than this insurrection of the Israelites was the contemporary movement—probably originating from the same cause—in the eastern provinces, where Antiochus Epiphanes emptied the temples of the Persian gods just as he had emptied that at Jerusalem, and doubtless accorded no better treatment to the adherents of Ahuramazda and Mithra than to those of Jehovah. Just as in Judæa—only with a wider range and ampler proportions—the result was a reaction on the part of the native manners and the native religion against Hellenism and the Hellenic gods; the promoters of this movement were the Parthians, and out of it arose the great Parthian empire.

The “Parthwa,” or Parthians, who are early met with as one of the numerous tribes merged in the great Persian empire, living first of all in the modern Khorasan to the south-east of the Caspian sea, appear after $\frac{500}{250}$ as an independent state under the Scythian, i.e. Turanian, dynasty of the Arsacidae. This state, however, only emerged from its obscurity about a century afterwards. The sixth Arsaces, Mithradates I. ($\frac{572}{178} ? - \frac{612}{138} ?$) was the real founder of the great Parthian power. The Bactrian empire, in itself far more powerful, but already shaken to the very foundation partly by hostilities with the hordes of Scythian horsemen from Turan and with the states of the Indus, partly by internal disorders, succumbed to him. He achieved almost equal successes in the countries to the west of the great desert. The

¹ the inscription “Shekel of Israel,”
 “deliverance of Sion.” The
 ince (Nessi) of Israel, belong
 the insurgents in the time of
 Hadrian.

Syrian empire was just then in the utmost disorganisation, partly through the failure of the Hellenising attempts of Antiochus Epiphanes, partly through the troubles as to the succession that occurred after his death; and the provinces of the interior were in full course of breaking off from Antioch and the region of the coast. In Commagene, for instance, the most northerly province of Syria on the Cappadocian frontier, the satrap Ptolemaeus asserted his independence, as did also on the opposite bank of the Euphrates the prince of Edessa in northern Mesopotamia or the province of Osroene, and the satrap Timarchus in the important province of Media; in fact the latter got his independence confirmed by the Roman senate, and, supported by Armenia as his ally, ruled as far down as Seleucia on the Tigris. Disorders of this sort were permanent features of the Asiatic empire: the provinces under their partially or wholly independent satraps were in continual revolt, as was also the capital with its insubordinate and refractory populace resembling that of Rome or Alexandria. The whole pack of neighbouring kings—those of Egypt, Armenia, Cappadocia, Pergamus—incessantly interfered in the affairs of Syria and fostered disputes as to the succession, so that civil war and the division of the sovereignty *de facto* among two or more pretenders became almost standing calamities of the country. The Roman protecting power, if it did not instigate these neighbours, was an inactive spectator. In addition to all this the new Parthian empire from the eastward pressed hard on the aliens not merely with its material power, but with the whole superiority of its national language and religion and of its national military and political organisation. This is not yet the place for a description of the revived empire of Cyrus; it is sufficient to mention generally the fact that powerful as was the influence of Hellenism in its composition, the Parthian state, as compared with that of the Seleucidae, was based on a national and religious reaction, and that the old Iranian language, the order of the Magi and the worship of Mithra, the oriental feudal constitution, the cavalry of the desert and the bow and arrow, first emerged there in renewed and triumphant opposition to Hellenism. The position of the kings of Syria in presence of all this was really pitiable. The family of the Seleucidae was by no means so enervated as that of the Lagidae for instance, and some of them were not deficient in valour and ability; they reduced, it may be, one or another of those numerous rebels, pretenders, and intermeddlers to order; but their dominion had so little of a firm foundation tha

unable to impose even a temporary check on anarchy. The result was inevitable. The eastern provinces of Syria under their unprotected or even insurgent satraps fell into subjection to the Parthians, Persia, Babylonia, Media were for ever severed from the Syrian empire, the new state of the Parthians

Oxus and the —once more, ates of Asia,

a pure continental monarchy, and once more, just like the Persian empire, engaged in perpetual feud on the one side with the peoples of Turan, on the other with the Occidentals. The Syrian state embraced at the most Mesopotamia in addition to the region of the coast, and disappeared, more in consequence of its internal disorganisation than of its diminished size, for ever from the ranks of the repeatedly imminent—

Parthians was averted, the resistance of the last Seleucidae and still less to the influence of Rome, but rather to the manifold internal disturbances in the Parthian empire itself, and above all to the incursions of the peoples of the

This revolution of Asia is the turn of national movement west to the east and had found in Alexander the Great its last and highest expression, was followed by the ebb. On the establishment of the Parthian state not only were such Hellenic elements

exterminated. The Roman senate sacrificed the first essential result of the policy of Alexander, and thereby paved the way for that retrograde movement, whose last offshoots ended in the Alham-

take its place among the dependencies of the Mediterranean empire, not because it was so very powerful, but because it had its centre far from the coast in the interior of Asia. Since the time of Alexander the world had obeyed the Occidentals alone, and the East seemed to be for these merely what America and Australia afterwards became for the Europeans. With Vithra-

dates I. the East re-entered the sphere of political movement. The world had again two masters.

It remains that we glance at the maritime relations of this period; although there is hardly anything to be said, except that there no longer existed anywhere a naval power. Carthage was annihilated; the war-fleet of Syria was destroyed in accordance with the treaty; the war-marine of Egypt, once so powerful, was under its present indolent rulers in deep decay. The minor states, and particularly the mercantile cities, had doubtless some armed transports; but these were not even adequate for the task—so difficult in the Mediterranean—of repressing piracy. This task necessarily devolved on Rome as the leading power in the Mediterranean. While a century previously the Romans had come forward in this matter with especial and salutary vigour, and had in particular introduced their supremacy in the East by a maritime police energetically handled for the general good (ii. 68), the complete nullity of this police at the very beginning of this period is a distinct indication of the fearfully rapid decline of the aristocratic government. Rome no longer possessed a fleet of her own; she was content to make requisitions for ships, when it seemed necessary, from the maritime towns of Italy, Asia Minor, and elsewhere. The consequence naturally was, that buccaneering became organised and consolidated. Something, perhaps, though not enough, was done towards its suppression, so far as the direct power of the Romans extended, in the Adriatic and Tyrrhene seas. The expeditions directed against the Dalmatian and Ligurian coasts at this epoch aimed more especially at the suppression of piracy in the two Italian seas; for the same reason the Balearic islands were occupied in $\frac{631}{123}$ (p. 18). But in the Mauretanian and Greek waters the inhabitants along the coast and the mariners were left to settle matters with the corsairs, in one way or another, as they best could; for Roman policy adhered to the principle of troubling itself as little as possible about these more remote regions. The disorganised and bankrupt commonwealths in the states along the coast thus left to themselves naturally became places of refuge for the corsairs; and there was no want of such, more especially in Asia.

A bad pre-eminence in this respect belonged to Crete, which, from its favourable situation and the weakness or laxity of the great states of the West and East, was the only one of all the Greek settlements that had preserved its independence. Roman commissioners doubtless came and went to the island, but ac-

government renounced all superintendence and all oversight of provincial affairs, it entirely abandoned not only the interests of the subjects, but also those of the state, to the governor of the day. The events which occurred in Spain, unimportant in themselves, are instructive in this respect. In that country, where the government was less able than in other provinces to confine itself to the part of a mere onlooker, the law of nations was directly trampled under foot by the Roman governors, and the honour of Rome was permanently dragged in the mire by a perfidy and faithlessness without parallel, by the most wanton trifling with capitulations and treaties, by massacring people who had submitted and instigating the assassination of the generals of the enemy. Nor was this all, war was even waged and peace concluded against the expressed will of the supreme authority in Rome, and unimportant incidents, such as the disobedience of the Numantines, were developed by a rare combination of perversity and folly into a crisis of fatal moment for the state. And all this took place without any effort to visit it with even a serious penalty in Rome. The sympathies and rivalries of the different coteries in the senate contributed to determine the filling up of the most important places and the treatment of the most momentous political questions, and even thus early the money of foreign dynasts found its way to the senators of Rome. Timarchus, the envoy of Antiochus Epiphanes king of Syria (+ 189), is mentioned as the first who attempted with success to bribe the Roman senate, the bestowal of presents from foreign kings on influential senators soon became so common, that surprise was excited when Scipio Aemilianus cast into the military chest the gifts from the king of Syria which reached him in camp before Numantia. The ancient principle, that rule was its own sole reward and that such rule was as much a duty and a burden as a privilege and a benefit, was allowed to fall wholly into abeyance. Thus there arose the new political economy which desisted from the taxation of the burgesses, but regarded the body of subjects, on the other hand, as a profitable possession of the community, which it partly worked out for the public benefit, partly handed over to be worked out by the burgesses. Not only was free scope allowed with criminal indulgence to the unscrupulous greed of the Roman merchant in the provincial administration, but even the commercial rivals who were disagreeable to him were cleared away by the armies of the state, and the most glorious cities of neighbouring lands were sacrificed, not to the barbarism of the

lust of power, but to the far more horrible barbarism of speculation. By the ruin of the earlier military organisation, which certainly imposed heavy burdens on the burgesses, the state, which was solely dependent in the last resort on its military superiority, undermined its own support. The fleet was allowed to go to ruin; the system of land warfare fell into the most incredible decay. The duty of guarding the Asiatic and African frontiers was devolved on the subjects; and what could not be so devolved, such as the defence of the frontier in Italy, Macedonia, and Spain, was managed after the most wretched fashion.

The better classes began to disappear so much from the army, that it was already difficult to raise the necessary number of officers for the Spanish armies. The daily increasing aversion to the Spanish war-service in particular, combined with the partiality shown by the magistrates in the levy, rendered it necessary in $\frac{602}{153}$ to abandon the old practice of leaving the selection of the requisite number of soldiers from the men liable to serve to the free discretion of the officers, and to substitute for it a drawing of the necessary number by ballot,—certainly not to the advantage of the military *esprit de corps*, or of the warlike efficiency of the individual divisions. The authorities, instead of acting with vigour and strictness, extended their pitiful flattery of the people even to this field; whenever a consul in the discharge of his duty instituted rigorous levies for the Spanish service, the tribunes made use of their constitutional right to arrest him ($\frac{603}{151}$, $\frac{616}{138}$); and it has been already observed, that Scipio's request that he should be allowed a levy for the Numantine war was directly rejected by the senate. Accordingly the Roman armies before Carthage or Numantia already remind one of those Syrian armies, in which the number of bakers, cooks, actors, and other non-combatants exceeded fourfold that of the so-called soldiers; already the Roman generals are little behind their Carthaginian colleagues in the art of destroying armies, and the wars in Africa as in Spain, in Macedonia as in Asia, are regularly opened with defeats; the murder of Gnaeus Octavius is now passed over in silence; the assassination of Viriathus is now a masterpiece of Roman diplomacy; the conquest of Numantia is now a great achievement. How completely the idea of national and manly honour was already lost among the Romans, was shown with epigrammatic point by the statue of the stripped and bound Mancinus, which he himself, proud of his patriotic devotedness,

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⁵⁸⁰
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were not sufficient to cover the deficit. No country where this species of game could be hunted remained exempt from visitation, even in Italy it was a thing by no means unheard of, that the poor freeman was placed by his employer among the slaves. But the Negroland of that period was western Asia,¹ where the Cretan and Cilician corsairs, the real professional slave hunters and slave dealers, robbed the coasts of Syria and the Greek islands, and where, emulating their feats the Roman revenue farmers instituted human hunts in the client states and incorporated those whom they captured among their slaves. This was done to such an extent, that about $\frac{6}{10}$ the king of Bithynia declared himself unable to furnish the required contingent because all the people capable of labour had been dragged off from his kingdom by the revenue farmers. At the great slave market in Delos where the slave-dealers of Asia Minor disposed of their wares to Italian speculators, on one day as many as 10 000 slaves are said to have been disembarked in the morning and to have been all sold before evening—a proof at once how enormous was the number of slaves delivered, and how, notwithstanding, the demand still exceeded the supply. It was no wonder. Already in describing the Roman economy of the sixth century we have explained that it was based, like all the great dealings of antiquity generally, on the employment of slaves (ii 344 *et seq.* 357). In whatever direction speculation applied itself, its instrument was invariably man reduced in law to the status of a beast of burden. Trades were in great part carried on by slaves so that the proceeds belonged to the master. The levying of the public revenues in the lower departments was regularly conducted by the slaves of the associations that leased them. Servile hands performed the operations of mining, making pitch, and others of a similar kind, it became early the custom to send herds of slaves to the Spanish mines, whose superintendents readily received them and paid a high rent for them. The vine and olive harvest in Italy was not conducted by the people on the estate, but was contracted for by a slave owner. The tending of cattle was universally performed by slaves. We have already mentioned the armed, and frequently mounted, slave herdsmen in the great pastoral districts of Italy (ii 349), and the same sort of pastoral husbandry soon became in the provinces also a favourite object of Roman

¹ It was asserted even then, that the human race in that quarter was pre-eminently fitted for slavery by its especial power of endurance. Plautus (*Teren.* 542) commends the Syrians *genus quod patientissimum est hominum*

speculation—Dalmatia, for instance, was hardly acquired ($\frac{529}{156}$) when the Roman capitalists began to prosecute the rearing of cattle there on a great scale after the Italian fashion. But far worse in every respect was the plantation-system proper—the cultivation of the fields by a band of slaves not unfrequently branded with iron, who with shackles on their legs performed the labours of the field under overseers during the day, and were locked up together by night in the common, frequently subterranean, labourers' prison. This plantation-system had migrated from the East to Carthage (ii. 9), and seems to have been brought by the Carthaginians to Sicily, where, probably for this reason, it appears developed earlier and more fully than in any other part of the Roman dominions.¹ We find the territory of Leontini, about 30,000 *iugera* of arable land, which was let on lease as Roman domain (ii. 138) by the censors, divided some *decennia* after the time of the Gracchi among not more than eighty-four lessees, to each of whom there thus fell on an average 360 *iugera*, and among whom only one was a Leontine; the rest were foreign, mostly Roman, speculators. We see from this instance with what zeal the Roman speculators there walked in the footsteps of their predecessors, and what extensive dealings in Sicilian cattle and Sicilian slave-corn must have been carried on by the Roman and non-Roman speculators who covered the beautiful island with their pastures and plantations. Italy however still remained for the present substantially exempt from this worst form of slave-husbandry. Although in Etruria, where the plantation-system seems to have first emerged in Italy, and where it existed most extensively at any rate forty years afterwards, it is extremely probable that even now *ergastula* were not wanting; yet Italian agriculture at this epoch was still chiefly carried on by free persons or at any rate by unchained slaves, while the greater labours were frequently let out to contractors. The difference between Italian and Sicilian slavery is very clearly apparent from the fact, that the slaves of the Mamertine community, which lived after the Italian fashion, were the only slaves who did not take part in the Sicilian servile revolt of $\frac{619-622}{135-132}$.

The abyss of misery and woe, which opens before our eyes in this most miserable of all proletariates, we leave to be fathomed

¹ The hybrid Greek name for the workhouse (*ergastulum*, from ἐργάζομαι, after the analogy of *stabulum*, *operculum*) is an indication that this mode of husbandry came to the Romans from a region where the Greek language was used, but at a period when a thorough Hellenic culture was not yet attained.

to gaze into such depths, it is very

with the perils which they brought with the conduct of the government in confronting them. It is plain that this proletariat was not called into existence by the government and could not be directly set aside by it, this could only have been accomplished by remedies which would have been still worse than the disease. The duty of the government was simply, on the one hand, to avert the direct danger to property and life, with which the slave proletariat threatened the members of the state, by an earnest system of precautionary police, and on the other hand, to aim at the restriction of the proletariat, as far as possible, by the elevation of free labour. Let us see how the Roman aristocracy executed these two tasks.

The servile conspiracies and servile wars, breaking out every where, illustrate their management as respects police. In Italy, the scenes of disorder, which were among the immediate painful consequences of the Hannibalic war (ii 369) seemed now to be renewed, all at once the Romans were obliged to seize and execute in the capital 150, in Minturnae 450, in Sinuessa even 4000 slaves ($\frac{421}{133}$). Still worse, as may be conceived, was the state of the provinces. At the great slave market at Delos and in the Attic silver mines about the same period the revolted slaves had to be put down by force of arms. The war against Aristonicus and his "Helio-polites" in Asia Minor was in substance a war of the landholders against the revolted slaves (p 52). But worst of all, of course, was the condition of Sicily, the chosen land of the plantation system. Brigandage had long been a standing evil there, especially in the interior, it began to swell into insurrection. Damophilus, a wealthy planter of Enna

led the Italian lords in the insurrection. The slaves flocked into the town of Enna, and the process on a greater scale. The slaves rose in a body against their masters, killed or enslaved them, and summoned to the head of the already considerable insurgent army a juggler from Apamea in Syria who knew how to vomit fire and utter oracles, formerly as a slave named Ennus, now as chief of the insurgents styled Antiochus king of the Syrians. And why not? A few years before another Syrian slave, who was not

even a prophet, had in Antioch itself worn the royal diadem of the Seleucidae (p. 62). The Greek slave Achaeus, the brave "general" of the new king, traversed the island, and not only did the wild herdsmen flock from far and near to the strange standards, but the free labourers also, who bore no goodwill to the planters, made common cause with the revolted slaves. In another district of Sicily Cleon, a Cicilian slave, formerly in his native land a daring bandit, followed the example which had been set and occupied Agrigentum; and, when the leaders came to a mutual understanding, after gaining various minor advantages they succeeded in at last totally defeating the praetor Lucius Hypsaeus in person and his army, consisting mostly of Sicilian militia, and in capturing his camp. By this means almost the whole island came into the power of the insurgents, whose numbers, according to the most moderate estimates, are alleged to have amounted to 70,000 men capable of bearing arms. The Romans found themselves compelled for three successive years ($\frac{629}{134} = \frac{622}{132}$) to despatch consuls and consular armies to Sicily, till, after several undecided and even some unfavourable conflicts, the revolt was at length subdued by the capture of Tauromenium and of Enna. The most resolute men of the insurgents threw themselves into the latter town, in order to hold their ground in that impregnable position with the determination of men who despair of deliverance or of pardon; the consuls Lucius Calpurnius Piso and Publius Rupilius lay before it for two years, and reduced it at last more by famine than by arms.¹

These were the results of the preventive police system, as it was handled by the Roman senate and its officials in Italy and the provinces. While the task of getting quit of the proletariat demands and only too often transcends the whole power and wisdom of a government, its repression by measures of police on the other hand is for any larger commonwealth comparatively easy. It would be well with states, if the unpropertied masses threatened them with no other danger than that with which they are menaced by bears and wolves; only the timid and those who trade upon the silly fears of the multitude prophesy the destruction of civil order through servile revolts or insurrections of the proletariat. But even to this easier task of restraining the oppressed masses the Roman government was by no means

¹ Even now there are not unfrequently found in front of Castrogiovanni, at the point where the ascent is least abrupt, Roman projectiles with the name of the consul of $\frac{621}{133}$: *L. Piso L. f. cos.*

equal, notwithstanding the profound peace and the inexhaustible resources of the state. This was a sign of its weakness, but not of its weakness alone. By right the Roman governor was bound to keep the highways clear and to have the robbers who were caught crucified, if they were slaves, and that as a matter of course, for slavery is not possible without a reign of terror. At this period in Sicily a *razzia* was occasionally doubtless set on foot by the governor, when the roads became too insecure, but, in order not to disoblige the Italian planters, the captured robbers were ordinarily given up by the authorities to their masters to be punished at their discretion and those masters were frugal people who, if their slave-herdsmen asked clothes, replied with stripes and with the inquiry whether travellers journeyed through the land naked. The consequence of such connivance accordingly was, that on the subjugation of the slave revolt the consul Publius Rupilius ordered all that came into his hands alive—it is said upwards of 20,000 men—to be crucified. It was in truth no longer possible to show indulgence to capital.

The care of the government for the elevation of free labour, and by consequence for the restriction of the slave proletariat, promised fruits far more difficult to be gained but also far more valuable. Unfortunately, in this respect there was nothing done at all. In the first social crisis the landlord had been enjoined by law to employ a number of free labourers proportioned to the number of his slave labourers (i 294). Now at the suggestion of the government a Punic treatise on agriculture (ii 18), doubtless giving instructions in the system of planting after the Carthaginian mode, was translated into Latin for the use and benefit of Italian speculators—the first and only instance of a literary undertaking suggested by the Roman senate¹. The same tendency showed itself in a more important matter, or to speak more correctly in the vital question for Rome—the system of colonisation. It needed no special wisdom, but merely a recollection of the course of the first social crisis in Rome, to perceive that the only real remedy against an agricultural proletariat consisted in a comprehensive and regular system of emigration (i 302), for which the external relations of Rome offered the most favourable opportunity. Until nearly the close of the sixth century, in fact, the continuous diminution of the small landholders of Italy was counteracted by the continuous establishment of new farm-allotments (ii 330). This, it is true, was by no means done to the extent to which it might and should

have been done; not only was the domain-land occupied from ancient times by private persons (i. 266) not recalled, but further occupations of newly won land were permitted; and other very important acquisitions, such as the territory of Capua, while not abandoned to occupation, were yet not subjected to distribution, but were let on lease as usufructuary domains. Nevertheless the assignation of land had operated beneficially—giving help to many of the sufferers and hope to all. But after the founding of Luna ($\frac{5}{1}\frac{7}{7}$) no trace of further assignations of land is to be met with for a long time, with the exception of the isolated institution of the Picenian colony of Auximum (Osimo) in $\frac{5}{1}\frac{2}{7}$. The reason is simple. After the conquest of the Boii and Apuani no new territory was acquired in Italy excepting the far from attractive Ligurian valleys; therefore no other land existed for distribution there except the leased or occupied domain-land, the laying hands on which was, as may easily be conceived, just as little agreeable to the aristocracy now as it was three hundred years before. The distribution of the territory acquired out of Italy appeared for political reasons inadmissible; Italy was to remain the ruling country, and the wall of partition between the Italian masters and their provincial servants was not to be broken down. Unless the government were willing to set aside considerations of higher policy or even the interests of their order, no course was left to them but to remain spectators of the ruin of the Italian farmer-class; and this result accordingly ensued. The capitalists continued to buy out the small landholders, or indeed, if they remained obstinate, to seize their fields without title of purchase; in which case, as may be supposed, matters were not always amicably settled. A peculiarly favourite method was to eject the wife and children of the farmer from the homestead, while he was in the field, and to bring him to compliance by means of the theory of “accomplished fact.” The landlords continued mainly to employ slaves instead of free labourers, because the former could not like the latter be called away to military service; and thus reduced the free proletariat to the same level of misery with the slaves. They continued to supersede Italian grain in the market of the capital, and to lessen its value over the whole peninsula, by selling Sicilian slave-corn at a mere nominal price. In Etruria the old native aristocracy in league with the Roman capitalists had as early as $\frac{6}{1}\frac{2}{3}\frac{0}{4}$ brought matters to such a pass, that there was no longer a free farmer there. It could be said aloud in the market of the capital, that the beasts had their lairs but nothing was left to

the burgesses save the air and sunshine, and that those who were styled the masters of the world had no longer a clod that they could call their own. The census lists of the Roman burgesses furnished the commentary on these words. From the end of the Hannibalic war down to $\frac{395}{135}$ the numbers of the burgesses were steadily on the increase, the cause of which is mainly to be sought in the continuous and considerable distributions of domain-land (in 369): after $\frac{395}{135}$ again, when the census yielded 328,000 burgesses capable of bearing arms, there appears a regular falling off, for the list in $\frac{400}{134}$ stood at 324,000, that in $\frac{407}{134}$ at 322,000, that in $\frac{422}{134}$ at 319,000 burgesses fit for service—an alarming result for a period of profound peace at home and abroad. If matters

would resolve itself
state might at length
purchase its soldiers in the slave-market.

Such was the external and internal condition of Rome, when the state entered on the seventh century of its existence. Wherever the eye turned, it encountered abuses and decay; the question could not but force itself on every sagacious and well-disposed man, whether this state of things were not capable of remedy or amendment. There was no want of such men in Rome; but no one seemed more called to the great work of political and social reform than Publius Cornelius Scipio Aemilianus Africanus ($\frac{470}{134}$ — $\frac{426}{135}$), the favourite son of Aemilius Paullus and the adopted grandson of the great Scipio, whose glorious surname of Africanus he bore by virtue not merely of hereditary but of personal right. Like his father, he was a man temperate and thoroughly healthy, never ailing in body, and never at a loss to decide on the immediate and necessary course of action. Even in his youth he had kept aloof from the usual occupations of political novices—the attending in the ante-chambers of leading senators and the delivery of forensic declamations. On the other hand he loved the chase—when a youth of seventeen, after having served with distinction under his father in the campaign against Perseus, he had asked as his

genuine Greek culture, which elevated him above the insipid Hellenising of the semi-culture commonly in vogue; by his earnest and apt appreciation of the good and bad qualities in

the Greek character, and by his aristocratic carriage, this Roman made an impression on the courts of the East and even on the scoffing Alexandrians. His Hellenism was especially recognisable in the delicate irony of his discourse and in the classic purity of his Latin. Although not strictly an author, he yet, like Cato, committed to writing his political speeches—they were, like the letters of his adopted sister the mother of the Gracchi, esteemed by the later *litteratores* as masterpieces of model prose—and took pleasure in surrounding himself with the better Greek and Roman *litterati*, a plebeian society which was doubtless regarded with no small suspicion by those colleagues in the senate whose noble birth was their sole distinction. A man morally steadfast and trustworthy, his word held good with friend and foe; he avoided buildings and speculations, and lived with simplicity; while in money matters he acted not merely honourably and disinterestedly, but also with a tenderness and liberality which seemed singular to the mercantile spirit of his contemporaries. He was an able soldier and officer; he brought home from the African war the honorary wreath which was wont to be conferred on those who saved the lives of citizens in danger at the peril of their own, and terminated as general the war which he had begun as an officer; circumstances gave him no opportunity of trying his skill as a general on tasks really difficult. Scipio was not, any more than his father, a man of genius—as is indicated by the very fact of his predilection for Xenophon, the sober soldier and correct author—but he was an honest and true man, who seemed pre-eminently called to stem the incipient decay by organic reforms. All the more significant is the fact that he did not attempt it. It is true that he helped, as he had means and opportunity, to redress or prevent abuses, and laboured in particular at the improvement of the administration of justice. It was chiefly by his assistance that Lucius Cassius, an able man of the old Roman austerity and uprightness, was enabled to carry against the most vehement opposition of the Optimates his law as to voting, which introduced vote by ballot for those popular tribunals which still embraced the most important part of the criminal jurisdiction (p. 69). In like manner, although he had not chosen to take part in boyish impeachments, he himself in his mature years put upon their trial several of the guiltiest of the aristocracy. In a like spirit, when commanding before Carthage and Numantia, he drove forth the women and priests to the gates of the camp, and subjected the rabble of soldiers once more to th-

... censor (612), he cleared

of their fathers. But no one, and
: ill to see that increased stringency

ice and isolated interference were
not even first steps towards the healing of the organic evils under
which the state laboured. These Scipio did not touch. Gaius
Laelius (consul in 614), Scipio's elder friend and his political
instructor and confidant, had conceived the plan of proposing
the confiscation of the Italian domain-land which had not been
given away but had been temporarily occupied, and of giving
relief by its distribution to the visibly decaying Italian farmers;
but he desisted from the project when he saw what a storm he
was going to raise, and was thenceforth named the "Judicious"
Scipio was of the same opinion. He was fully persuaded of the
of the evil and with a courage deserving of honour he

... t and carried

was also per-

the price of a

revolution similar to that which in the fifth centuries

had sprung out of the question of reform, and, rightly or wrongly,
the remedy seemed to him worse than the disease. So with the
small circle of his friends he held a middle position between the
aristocrats, who never forgave him for his advocacy of the
Cassian law, and the democrats, whom he neither satisfied nor
wished to satisfy; solitary during his life, praised after his
death by both parties, now as the champion of the aristocracy,
now as the promoter of reform. Down to his time the censors
on laying down their office had called upon the gods to grant
greater power and glory to the state: the censor Scipio prayed
that they might deign to preserve the state. His whole con-
fession of faith lies in that painful exclamation.

But where the man who had twice led the Roman army from
deep disorganisation to victory despaired, a youth without
achievements ... to give himself forth as the
saviour of Ita ...

who were personally hostile to him (ii. 265) gave proof of his chivalrous feeling, and perhaps of his regard for his own order; and his energetic action against the freedmen in his censorship (ii. 333) evinced his conservative disposition. As governor, moreover, of the province of the Ebro (ii. 198), by his bravery and above all by his integrity he rendered a permanent service to his country, and at the same time raised to himself in the hearts of the subject nation an enduring monument of reverence and affection.

His mother Cornelia was the daughter of the conqueror of Zama, who, simply on account of that generous intervention, had chosen his former opponent as a son-in-law; she herself was a highly cultivated and notable woman, who after the death of her much older husband had refused the hand of the king of Egypt and reared her three surviving children in memory of her husband and her father. Tiberius, the elder of the two sons, was of a good and moral disposition, of gentle aspect and quiet temper, apparently fitted for anything rather than for an agitator of the masses. In all his relations and views he belonged to the Scipionic circle, whose refined and thorough culture, Greek and national, he and his brother and sister shared. Scipio Aemilianus was at once his cousin and his sister's husband; under him Tiberius, at the age of eighteen, had taken part in the storming of Carthage, and had by his valour acquired the commendation of the stern general and warlike distinctions. It was natural that the able young man should adopt and develop, with all the vivacity and all the rigorous precision of youth, the views as to the pervading decay of the state which were prevalent in that circle, and more especially their ideas as to the elevation of the Italian farmers. Nor was it to the young men alone that the shrinking of Laelius from the execution of his ideas of reform seemed to be not judicious, but weak. Appius Claudius, who had already been consul ($\frac{611}{143}$) and censor ($\frac{618}{136}$), one of the most respected men in the senate, censured the Scipionic circle for having so soon abandoned the scheme of distributing the domain-lands with all the passionate vehemence which was the hereditary characteristic of the Claudian house; and with the greater bitterness, apparently because he had come into personal conflict with Scipio Aemilianus in his candidature for the censorship. Similar views were expressed by Publius Crassus Mucianus (p. 52), the *pontifex maximus* of the day, who was held in universal honour by the senate and the citizens as a man and a jurist. Even his brother Publius Mucius Scaevola, the

founder of scientific jurisprudence in Rome, seemed not averse to the plan of reform; and his voice was of the greater weight, as he stood in some measure aloof from party. Similar were the sentiments of Quintus Metellus, the conqueror of Macedonia

Gracchus was closely connected with these men, particularly with Appius whose daughter he had married, and with Mucianus whose daughter was married to his brother. It was no wonder that he cherished the idea of resuming in person the scheme of reform, so soon as he should find himself in a position which would constitutionally allow him the initiative. Personal motives may have strengthened this resolution. The treaty of peace which Mancinus concluded with the Numantines in $\frac{117}{137}$, was in substance the work of Gracchus (p. 14); the recollection that the senate had cancelled it, that the general had been on its account surrendered to the enemy, and that Gracchus with the other superior officers had only escaped a like fate through the greater favour which he enjoyed among the burgesses, could not put the young, upright, and proud man in better humour with the ruling aristocracy. The Hellenic rhetoricians with whom he was fond of discussing philosophy and politics, Diophanes of Mytilene and Gaius Blossius of Cumae, nourished within his soul the ideals over which he brooded: when his intentions became known in wider circles, there was no want of approving voices, and many a public placard summoned the grandson of Africanus to think of the poor people and the deliverance of Italy.

Tiberius Gracchus was invested with the tribunate of the people on the 10th of December, $\frac{220}{134}$. The fearful consequences of the previous misgovernment, the political, military, economic, and moral decay of the burgesses, were just at that time naked to the eyes of all. Of the two consuls of this year one was a slave, and the other was a man who had spent months not in his own town. If his resolution into effect, he found it in this state of matters which filled the mind of every patriot with unspeakable anxiety. His father-in-law promised assistance in counsel and action; the support of the jurist Scaevola, who had shortly before been elected consul for $\frac{231}{133}$, might be hoped for. So Gracchus, immediately after

entering on office, proposed the enactment of an agrarian law, which in a certain sense was nothing but a renewal of the Licinio-Sextian law of 367 (i. 294). Under it all the state-lands which were occupied and enjoyed by the possessors without remuneration—those that were let on lease, such as the territory of Capua, were not affected by the law—were to be resumed on behalf of the state; but with the restriction, that each occupier should reserve for himself 500 *iugera* and for each son 250 (so as not, however, to exceed 1000 *iugera* in all) in permanent and guaranteed possession, or should be entitled to claim compensation in land to that extent. Indemnification appears to have been granted for any improvements executed by the former holders, such as buildings and plantations. The domain-land thus resumed was to be broken up into lots of 30 *iugera*; and these were to be distributed partly to burgesses, partly to Italian allies, not as their own free property, but as inalienable heritable leaseholds, whose holders bound themselves to use the land for agriculture and to pay a moderate rent to the state. A *collegium* of three men, who were regarded as ordinary and standing magistrates of the state and were annually elected by the assembly of the people, was entrusted with the work of resumption and distribution; to which was afterwards added the important and difficult function of legally settling what was domain-land and what was private property. The distribution was accordingly designed to go on continuously, and to embrace the whole class that should be in need of it; and in that view we must probably assume that, when the Italian domains which were very extensive and difficult of adjustment should be finally regulated, farther measures were contemplated, such as, for instance, the disbursement to the allotment-commissioners of a definite sum annually from the public chest for the purchase of Italian lands for distribution. The new features in the Sempronian agrarian law, as compared with the Licinio-Sextian, were, first, the clause in favour of the hereditary possessors; secondly, the leasehold and inalienable tenure proposed for the new allotments; thirdly and especially, the permanent executive, the want of which under the older law had been the chief reason why it had remained without lasting practical application.

War was thus declared against the great landholders, who now, as three centuries ago, found substantially their organ in the senate; and once more, after a long interval, a single magistrate stood forth in earnest opposition to the aristocratic government. It took up the conflict in the mode sanctioned

by use and wont for such cases of paralysing the excesses of the magistrates by means of the magistracy itself (i 312) A
 " of Gracchus! Marcus Octavius, a resolute man who
 his character of the

to set aside the
 business of the state and the administration of justice, placed his seal on the public chest. The government acquiesced—it was inconvenient, but the year would draw to an end. Gracchus, in perplexity, brought his law to the vote a second time. Octavius of course repeated his veto, and to the urgent entreaty of his colleague and former friend, that he would not obstruct the salvation of Italy, he might reply that on that very question, as to how Italy could be saved, opinions differed, but that his constitutional right to use his veto against the proposal of his colleague was beyond all doubt. The senate now made an attempt to open up to Gracchus a tolerable retreat, two consuls challenged him to discuss the matter further in the senate house, and the tribune entered into the scheme with zeal. He sought to construe this proposal as implying that the senate had conceded the principle of distributing the domain-land, but neither was this implied in it, nor was the senate at all disposed to yield in the matter, the discussions ended without any result. Constitutional means were exhausted. In earlier times under such circumstances men were not indisposed to let the proposal go to sleep for the moment, and to take it up again in each successive year, till the earnestness of the demand and the pressure of public opinion overbore resistance. Now things were carried with a rush, and Gracchus seemed to himself to have reached the point of no return. He had no alternative but to carry his reform or begin to retract, for he came before the burgesses with the decision of the people on his side.

from the college, and suggested to the assembly, as, according to the Roman constitution, it was his duty, Octavius naturally refused to consent to a proposal insulting to the laws and to himself. Then Gracchus broke off the discussion with his colleague, and turned to the assembled multitude with the question whether a tribune of the people, who acted in opposition to the people, had not forfeited his office; and the assembly, long accustomed to agree to all pro-

posals presented to it, and for the most part composed of the agricultural proletariat which had flocked in from the country and was personally interested in the carrying of the law, gave almost unanimously an affirmative answer. Marcus Octavius was at the bidding of Gracchus removed by the lictors from the tribunes' bench; and then, amidst universal rejoicing, the agrarian law was carried and the first allotment-commissioners were nominated. The votes fell on the author of the law along with his brother Gaius, who was only twenty years of age, and his father-in-law, Appius Claudius. Such a family-selection augmented the indignation of the aristocracy. When the new magistrates applied as usual to the senate to obtain the moneys for their equipment and for their daily allowance, the former was refused, and a daily allowance was assigned to them of twenty-four *asses* (one shilling). The feud spread daily more and more, and became more envenomed and more personal. The difficult and intricate task of defining, confiscating, and distributing the domains carried strife into every burgess-community, and even into the allied Italian towns.

The aristocracy made no secret that, while they would acquiesce perhaps in the law because they could not do otherwise, the officious legislator should not escape their vengeance; and the announcement of Quintus Pompeius, that he would impeach Gracchus on the very day of his resigning his tribunate, was far from being the worst of the threats thrown out against the tribune. Gracchus believed, probably with reason, that his personal safety was imperilled, and no longer appeared in the Forum without a retinue of 3000 or 4000 men—a step which drew down on him bitter expressions in the senate, even from Metellus who was not averse to reform in itself. Altogether, if he had expected to reach the end by the carrying of his agrarian law, he had now to learn that he was only at the beginning. The “people” owed him gratitude; but he was a lost man, if he had no farther protection than this gratitude of the people, if he did not continue indispensable to them and did not constantly attach to himself fresh interests and hopes by means of other and more comprehensive proposals. Just at that time the kingdom and wealth of the Attalids had fallen to the Romans by the testament of the last king of Pergamus (p. 52); Gracchus proposed to the people that the Pergamene treasure should be distributed among the new landholders for the procuring of the requisite implements and stock, and vindicated generally, in opposition to the existing practice, the right of the burgesses to

decide definitively as to the new province He is said to have

How far his projects in reality reached, cannot be ascertained, this alone is certain, that Gracchus saw that his only safety lay in inducing the burgesses to confer on him for a second year the office which protected him, and that, with a view to obtain this unconstitutional prolongation, he held forth a prospect of further reforms If at first he had risked himself in order to save the commonwealth, he was now obliged to put the commonwealth at stake in order to secure his own safety

The tribes met to elect the tribunes for the ensuing year, and the first divisions gave their votes for Gracchus, but the opposite party in the end prevailed with their veto so far at least that the assembly broke up without having accomplished its object, and the decision was postponed to the following day For this day
illegitimate,
commended t

election would once more be disturbed by the veto, he made provision for expelling the adherents of the aristocracy by force from the place of assembly in front of the Capitoline temple So the second day of election came on, the votes fell as on the preceding day, and again the veto was exercised, the tumult began The burgesses dispersed, the elective assembly was practically dissolved, the Capitoline temple was closed, it was rumoured in the city, now that Tiberius had deposed all the tribunes, now that he had resolved to continue his magistracy without re election

The senate assembled in the temple of Fidelity, close by the temple of Jupiter, the bitterest opponents of Gracchus were the speakers in the sitting, when Tiberius moved his hand towards his forehead to signify to the people amidst the wild tumult that his head was in danger, it was said that he was already summoning the people to adorn his brow with the regal chaplet The consul Scaevola was urged to have the traitor put to death at once When that temperate man, by no means averse to reform in itself, indignantly refused the equally irrational and barbarous request, the consular Publius Scipio Nasica, a harsh and passionate aristocrat, summoned those who shared his views to arm themselves as they could and to follow him Almost

none of the country people had come into town for the elections; the people of the city timidly gave way, when they saw the nobles rushing along with fury in their eyes, and legs of benches and clubs in their hands. Gracchus attempted with a few attendants to escape. But in his flight he fell on the slope of the Capitol, and was killed by a blow on the temples from the bludgeon of one of his furious pursuers—Publius Satureius and Lucius Rufus afterwards contested the infamous honour—before the statues of the seven kings at the temple of Fidelity; with him three hundred others were slain, none of them by weapons of iron. When evening had come on, the bodies were thrown into the Tiber; Gaius vainly entreated that the corpse of his brother might be granted to him for burial. Such a day had never before been seen by Rome. The party-strife lasting for more than a century during the first social crisis had led to no such catastrophe as that with which the second began. The better portion of the aristocracy might shudder, but they could no longer recede. They had no choice save to abandon a great number of their most trusty partisans to the vengeance of the multitude, or to assume collectively the responsibility of the outrage: the latter course was adopted. They gave official sanction to the assertion that Gracchus had wished to seize the crown, and justified this latest crime by the primitive precedent of Ahala (i. 291); in fact, they even committed the duty of further investigation as to the accomplices of Gracchus to a special commission, and made its head, the consul Publius Popillius, take care that a sort of legal stamp should be supplementarily impressed on the murder of Gracchus by bloody sentences directed against a large number of inferior persons ($\frac{622}{132}$). Nasica, against whom above all others the multitude breathed vengeance, and who had at least the courage openly to avow his deed before the people and to defend it, was under honourable pretexts despatched to Asia, and soon afterwards ($\frac{624}{130}$) invested, during his absence, with the office of Pontifex Maximus. Nor did the moderate party dissociate themselves from these proceedings of their colleagues. Gaius Laelius bore a part in the investigations adverse to the partisans of Gracchus; Publius Scaevola, who had attempted to prevent the murder, afterwards defended it in the senate; when Scipio Aemilianus, after his return from Spain ($\frac{622}{132}$), was challenged publicly to declare whether he did or did not approve the killing of his brother-in-law, he gave the at least ambiguous reply that, so far as Tiberius had aspired to the crown, he had been justly put to death.

Let us endeavour to form a judgment regarding these momentous events. The appointment of an official commission, which had to counteract the continual diminution of the farmer-class by the continual establishment of new small holdings from the resources of the state, was doubtless no sign of a healthy condition of the national economy, but it was, under the existing circumstances political and social, a judicious measure. The distribution of the domains, moreover, was in itself no political party-question, it might have been carried out to the last sod without changing the existing constitution or at all shaking the government of the aristocracy. As little could there be, in that case, any complaint of a violation of rights. The state was confessedly the owner of the occupied land, the holder as a possessor on mere sufferance could not, as a rule, — he to himself even a *bonâ fide* proprietary tenure, and, in the end, he was confronted by the state. The distribution of the domains, however, was no abolition, but on the contrary an exercise, of the right of property, all jurists were agreed as to its formal legality. But the attempt now to carry out these legal claims of the state was far from being politically warranted by the circumstance that the distribution of the domains neither infringed the existing constitution nor involved a violation of right. Such objections as have been now and then raised in our day, when a great landlord suddenly begins to assert in all their compass claims belonging to him in law, but suffered for a long period to lie dormant in practice, might with equal and better right be advanced against the rogation of Gracchus. These occupied domains had been undeniably in heritable private possession, some of them for three hundred years, the state's proprietorship of the soil, which from its very nature loses more readily than that of the burgess the character of private right, had in the case of these lands become virtually extinct, and the present holders had universally come to their possessions by purchase or other onerous acquisition. The jurist might say what he would, to the measure appeared to be an ejection of the *proletariate*, that the

leading men of the state, however, were of opinion, is very clearly shown by their treatment of the case that occurred in their time. The territory of Capua and the neighbouring towns, which was annexed as domain in 471, had for

the most part practically passed into private possession during the following unsettled times. In the last years of the sixth century, when in various respects, especially through the influence of Cato, the reins of government were drawn tighter, the burgesses resolved to resume the Campanian territory and to let it out for the benefit of the treasury ($\frac{58\frac{2}{5}}{17\frac{1}{2}}$). The possession in this instance rested on an occupation justified not by previous invitation but at the most by the connivance of the authorities, and had continued in no case much beyond a generation; but the holders were not dispossessed except in consideration of a compensatory sum disbursed under the orders of the senate by the urban praetor Publius Lentulus (c. $\frac{58\frac{2}{5}}{17\frac{1}{2}}$).¹ Less objectionable perhaps, but still not without hazard, was the arrangement by which the new allotments bore the character of heritable leaseholds and were inalienable. The most liberal principles in regard to freedom of traffic had made Rome great; and it was very little consonant to the spirit of the Roman institutions, that these new farmers were peremptorily bound down to cultivate their portions of land in a definite manner, and that their allotments were subject to rights of revocation and all the cramping measures associated with a system of commercial restriction.

It will be granted that these objections to the Sempronian agrarian law were of no small weight. Yet they were not decisive. Such a practical disinheriting of the holders of the domains was certainly a great evil; yet it was the only means of checking, at least for a long time, an evil much greater still and in fact directly destructive to the state—the decline of the Italian farmer-class. We can well understand therefore why the most distinguished and patriotic men even of the conservative party, headed by Gaius Laelius and Scipio Aemilianus, approved and desired the distribution of the domains viewed in itself.

But, if the aim of Tiberius Gracchus probably appeared to the great majority of the wise friends of their country good and salutary, the method which he adopted, on the other hand, did not and could not meet with the approval of a single man of note or of patriotism. Rome about this period was governed by the senate. Any one who carried a measure of administration against the majority of the senate made a revolution. It was

¹ This fact, hitherto only partially known from Cicero (*De L. Agr.* ii. 32, 82; comp. Liv. xlii. 2, 19), is now substantiated by the fragments of Licinianus, p. 4. The two accounts are to be combined to this effect, that Lentulus ejected the possessors in consideration of a compensatory sum fixed by him, but accomplished nothing with actual proprietors, as he was not entitled to dispossess them and they would not

a revolution as respected the spirit of the constitution, when Gracchus submitted the domain question to the people; and a revolution also as respected the letter, when he destroyed not only for the moment but for all time coming the tribunician veto—the corrective of the state machine, through which the senate constitutionally got rid of the interferences with its government—by the unconstitutional deposition of his colleague, which he justified with unworthy sophistry. But it was not in this step that the moral and political mistake of the action of Gracchus lay. There are no set forms of high treason in history; whoever provokes one power in the state to conflict with another is certainly a revolutionist, but he may be at the same time a sagacious and praiseworthy statesman. The essential defect of the Gracchan revolution lay in a fact only too frequently overlooked—*the absence of a permanent assembly.*

Gracchus had in the main the same aim as his brother, but the enterprises of the two men were as diverse, as the Roman Roman burgess-body which shared the Volscian spoil with the Latins and Hernici was different from the present which erected the provinces of Asia and Africa. The former was a civic community, which could meet together and act together; the latter was a great state, the union of whose members in one and the same collective assembly, and the leaving to this assembly the decision, yielded a result as lamentable as it was ridiculous (ii 321). The fundamental defect of the policy of antiquity—that it never fully advanced from the civic form of constitution to that of a state or, which is the same thing, from the system of a permanent assembly to that of a permanent system—in this case as what the Romans did, of sending a committee of men to meet together and act together, was totally lost; a body, which was neither a permanent assembly nor a permanent view of things nor even to form a resolution of its own; a body above all, in which, saving in rare exceptional cases, a couple of hundred or thousand individuals accidentally picked up from the streets of the capital acted and voted in name of the burgesses. The burgesses found themselves, as a rule, nearly as satisfactorily represented by their actual representatives in the tribes and centuries as by the thirty lictors who legally represented them in the curies; and just as what was called the decree of the

curies was nothing but a decree of the magistrate who convoked the lictors, so the decree of the tribes and centuries at this time was in substance simply a decree of the proposing magistrate, legalised by some consentients assembled for the occasion. But while in these voting-assemblies, the *comitia*, though they were far from dealing strictly in the matter of qualification, it was on the whole burgesses alone that appeared, in the mere popular assemblages on the other hand—the *contiones*—every one in the shape of a man was entitled to take his place and to shout, Egyptians and Jews, street-boys and slaves. Such a “meeting” certainly had no significance in the eyes of the law; it could neither vote nor decree. But it practically ruled the street, and already the opinion of the street was a power in Rome, so that it was of some importance whether this confused mass received the communications made to it with silence or shouts, whether it applauded and rejoiced or hissed and howled at the orator. Not many had the courage to lord it over the populace as Scipio Aemilianus did, when they hissed him on account of his expression as to the death of his brother-in-law. “Ye,” he said, “to whom Italy is not mother but step-mother, ought to keep silence!” and when their fury grew still louder, “surely you do not think that I will fear those let loose, whom I sent in chains to the slave-market?”

That the rusty machinery of the *comitia* should be made use of for the elections and for legislation, was bad enough. But when those masses—the *comitia* primarily, and practically also the *contiones*—were permitted to interfere in the administration, and the instrument which the senate employed to prevent such interferences was wrested out of its hands; when this so-called burgess-body was allowed to decree to itself lands and all their appurtenances out of the public purse; when any one, whom circumstances and his influence with the proletariat enabled to command the streets for a few hours, found it possible to impress on his projects the legal stamp of the sovereign people’s will, Rome had reached not the beginning, but the end of popular freedom—had arrived not at democracy, but at monarchy. For that reason in the previous period Cato and those who shared his views never brought such questions before the burgesses, but discussed them solely in the senate (ii. 338). For that reason contemporaries of Gracchus, the men of the Scipionic circle, described the Flaminian agrarian law of $\frac{5}{2} \frac{2}{3} \frac{2}{5}$ —the first step in that fatal career—as the beginning of the decline of Roman greatness. For that reason they

of the domain-distribution to fall, and saw in his dreadful end as it were a means of warding off similar attempts in future, while yet they maintained and turned to account with all their energy the distribution of the domains which he had carried—so sad was the state of things in Rome, that honest patriots were forced into the horrible hypocrisy of abandoning the criminal and yet appropriating the fruit of his crime. For that reason too the opponents of Gracchus were in a certain sense not wrong, when they accused him of aspiring to the crown

in its room might perhaps benefit the commonwealth more than he injured it

But such a bold player Tiberius Gracchus was not. He was a tolerably able, thoroughly well-meaning, conservative patriot, who simply did not know what he was doing, who in the fullest belief that he was calling the people evoked the rabble, and

the interferences with the public finances, the further "reforms" exacted by perplexity and despair, the body-guard taken from the pavement, and the conflicts in the streets displayed the melancholy usurper more and more clearly to himself and others; and at length the unchained spirits of revolution seized and devoured their incapable conjurer. The infamous butchery, through which he perished, condemns itself, as it condemns the aristocratic faction whence it issued, but the glory of martyrdom, with which it has embellished the name of Tiberius Gracchus, came in this instance, as usually, to the wrong man. The best of his contemporaries judged otherwise. When the catastrophe was announced to Scipio Aemilianus, he uttered the words of Homer.

Ὅς ἀπόλοιτο καὶ ἄλλος, ὅτις τοιαῦτά γε μέλει

and when the younger brother of Tiberius seemed disposed to come forward in the same career, his own mother wrote to him: "Shall then our house have no end of madness? where shall be the limit to our grief? at one and the same time we are ashamed of us having anxious re, who knew of a misfortune yet greater than the death of her children.

new communities, but by the existence. The extent and the comprehensive effect of these numerous arrangements in the assigna-
ry-stones

so as to obviate future disputes first suggested by the Gracchan courts for defining boundaries and by the distributions of land. But the numbers on the burgess-rolls { . . . } The census, which was published . . . of 422,

falling off (p. 80) the number rises to 395,000, . . . in increase—beyond all doubt solely in consequence of what the allotment-commission did for the Roman burgesses. Whether it multiplied the farms among the Italians in the same proportion may be doubted; at any rate what it did accomplish yielded a great and beneficent result. It is true that this result was not achieved without various violations of respectable interests and existing rights. The allotment-commission, composed of the most decided partisans, and absolute judge in its own cause, proceeded with its labours in a reckless and even tumultuary fashion; public notices summoned every one, who was able, to give information regarding the extent of the domain-lands; the old land-registers were inexorably referred to, and not only was occupation new and old revoked without distinction, but in . . . as to which the holder was . . .

clear that, . . . matter could not be carried through without . . . monious vigour of action.

But this acquiescence had its limit. The Italian domain-land was not exclusively in the hands of Roman burgesses; large tracts of it had been assigned in exclusive usufruct to particular allied communities by decrees of the people or senate, and other portions had been occupied with or without permission by Latin burgesses. The triumvirs at length attacked these possessions also. The resumption of the portions simply occupied by non-burgesses was no doubt allowable in formal

law, and not less in all probability the resumption of the domain-land handed over by decrees of the senate or even by state-treaties to the Italian communities, since thereby the state by no means renounced its ownership and to all appearance gave its grants to communities, just as to private persons, subject to revocation. But the complaints of these allied or subject communities, that Rome did not keep the treaties concluded with them, could not be simply disregarded like the complaints of the Roman citizens injured by the acts of the commissioners. Legally the former might be no better founded than the latter; but, while in the latter case the matter at stake was the private interests of members of the state, in reference to the Latin possessions the question arose, whether it was politically right to give fresh offence to communities so important in a military point of view and already so greatly estranged from Rome by numerous disabilities *de jure* and *de facto* (ii. 312 *et seq.*) through this severe injury to their material interests. The decision lay in the hands of the middle party; it was that party which after the fall of Gracchus had, in league with his adherents, protected reform against the oligarchy, and it alone was now able in concert with the oligarchy to set a limit to reform. The Latins resorted personally to the most prominent man of this party, Scipio Aemilianus, with a request that he would protect their rights. He promised to do so; and mainly through his influence,¹ in 133, a decree of the people withdrew from the commission its jurisdiction, and remitted the decision respecting what were domainial and what private possessions to the consuls, to whom, where no special laws enacted otherwise, it constitutionally pertained. This was simply a suspension of further domain-distribution under a mild form. The consul Tuditanus, by no means Gracchan in his views and little inclined to occupy himself with the difficult task of agrarian definition, embraced the opportunity of going off to the Illyrian army and leaving the duty entrusted to him unfulfilled. The allotment-commission no doubt continued to subsist, but, as the judicial regulation of the domain-land was at a standstill, it was compelled to remain inactive. The reform-party was deeply indignant. Even men like Publius Mucius and Quintus Metellus disapproved of the intervention of Scipio.

¹ To this occasion belongs his oration *contra legem indicariam Ti. Gracchi*—which we are to understand as referring not, as has been asserted, to a law as to the *iudicia publica*, but to the supplementary law annexed to his agrarian rogation: *ut triumviri iudicarent, qua publicus ager, qua privatus esset* (Liv. Ep. lviii.; See p. 83 above).

Other circles were not content with expressing disapproval. Scipio had announced for one of the following days an address respecting the relations of the Latins; on the morning of that day he was found dead in his bed. He was but fifty-six years of age, and in full health and vigour, he had spoken in public the day before, and then in the evening had retired earlier than usual to his bedchamber with a view to prepare the outline of his speech for the following day. That he became the victim of a political assassination, cannot be doubted; he himself shortly before had publicly mentioned the plots formed to murder him. What assassin's hand had during the night slain the first statesman and the first general of his age was never discovered, and it does not become history either to repeat the reports handed down from the contemporary gossip of the city, or to set about the childish attempt to ascertain the truth out of such materials. This much only is clear, that the instigator of the deed must have belonged to the Gracchan party; the assassination of Scipio was the democratic reply to the aristocratic massacre at the temple of Fidelity. The tribunals did not interfere. The popular party, justly fearing that its leaders Gaius Gracchus, Flaccus, and Carbo, whether guilty or not, might be involved in the prosecution, opposed with all its might the institution of an inquiry; and the aristocracy, which lost in Scipio quite as much an antagonist as an ally, was not unwilling to let the matter sleep. The multitude and men of moderate talents checked, none more so than Quintus Metellus, who had been the champion against reform, but who now ordered his funeral pile. The funeral was held at night, and the last of the family of the conqueror of Zama was buried. No man had been previously allowed to see the face of the deceased, and the remains were consumed the remains of the crime.

The history of Rome produced many men of greater genius than Scipio Aemilianus, but none equalling him in moral purity, in the utter absence of political selfishness, in generous love of his country, and none, perhaps, to whom destiny has assigned a more tragic part. Conscious of the best intentions and of no common abilities, he was doomed to see the ruin of his country carried out before his eyes, and to repress within him every earnest attempt to save it, because he clearly perceived that he should only thereby aggravate the evil; doomed to the necessity

of sanctioning outrages like that of Nasica and at the same time of defending the work of the victim against his murderers. Yet he might say that he had not lived in vain. It was to him, at least quite as much as to the author of the Sempronian law, that the Roman burgesses were indebted for an increase of nearly 80,000 new farm-allotments; he it was too who put a stop to this distribution of the domains, when it had produced such benefit as it could produce. That it was time to leave it off, was no doubt disputed at the moment even by well-meaning men; but the fact that Gaius Gracchus did not seriously recur to those possessions which might have been and yet were not distributed under the law of his brother, tells very strongly in favour of the belief that Scipio hit substantially the right moment. Both measures were extorted from the parties—the first from the aristocracy, the second from the friends of reform; the latter its author paid for with his life. It was his lot to fight for his country on many a battle-field and to return home uninjured, that he might perish there by the hand of an assassin; but in his quiet chamber he no less died for Rome than if he had fallen before the walls of Carthage.

The distribution of land was at an end; the revolution went on. The revolutionary party, which possessed in the allotment-commission as it were a constituted leadership, had even in the lifetime of Scipio skirmishes now and then with the existing government. Carbo, in particular, one of the most distinguished men of his time in oratorical talent, had as tribune of the people in $\frac{6}{1}\frac{2}{3}\frac{3}{4}$ given no small trouble to the senate; had carried voting by ballot in the burgess-assemblies, so far as it had not been introduced already (p. 69); and had even made the significant proposal to leave the tribunes of the people free to reappear as candidates for the same office in the year immediately following, and thus legally to remove the obstacle by which Tiberius Gracchus had primarily been thwarted. The scheme had been at that time frustrated by the resistance of Scipio; some years later, apparently after his death, the law passed. The principal object of the party, however, was to revive the action of the allotment-commission which had been practically suspended; the leaders seriously talked of removing the obstacles which the Italian allies interposed to the scheme by conferring on them the rights of citizenship, and the agitation assumed mainly that direction. In order to meet it, the senate in $\frac{6}{1}\frac{2}{3}\frac{8}{9}$ got the tribune of the people Marcus Junius Pennus to propose the dismissal of all non-burgesses from the capital, and in spite of the resist-

ance of the democrats, particularly of Gaius Gracchus, and of the ferment occasioned by this odious measure in the Latin communities, the proposal was carried. Marcus Fulvius Flaccus retorted in the following year ($\frac{62}{128}$) as consul with the proposal that every ally should be allowed to ask for Roman citizenship and to get a vote of the comitia on his request. But he stood almost alone—Carbo had meanwhile changed his colours and was now a zealous aristocrat, Gaius Gracchus was absent as quaestor in Sardinia—and the project was frustrated by the resistance not of the senate merely, but also of the burgesses, who were but little inclined to extend their privileges to a still wider circle. Flaccus left Rome to undertake the supreme command against the Celts, by his Transalpine conquests he prepared the way for the great schemes of the democracy, while he at the same time withdrew out of the difficulty of having to bear arms against the allies instigated by himself.

Fregellae, situated on the borders of Latium and Campania at the principal passage of the Liris in the midst of a large and fertile territory, at that time perhaps the second city of Italy and in the discussions with Rome the usual mouthpiece of all the Latin colonies, began war against Rome in consequence of the rejection of the proposal brought in by Flaccus—the first instance which had occurred for a hundred and fifty years of a serious insurrection, not brought about by foreign powers, in Italy against the Roman hegemony. But on this occasion the fire was successfully extinguished before it had caught hold of other allied communities. Not through the superiority of the Roman arms, but through the treachery of a Fregellan Quintus Numitorius Pullus, the praetor master of the revolted city, its walls and was converted colony of Fabrateria was founded on a part of its territory in $\frac{63}{128}$; the remainder and the former city itself were distributed among the surrounding communities. This rapid and fearful punishment alarmed the allies, and endless impeachments for high treason pursued not only the Fregellans, but also the leaders of the popular party in Rome, who naturally were regarded by the aristocracy. Meanwhile Gaius Gracchus had first sought to

the burgesses acquitted him; and now he too threw down the gauntlet, became a candidate for the tribuneship of the people, and was nominated to that office for the year $\frac{631}{123}$ in an elective assembly attended by unusual numbers. War was thus declared. The democratic party, always poor in leaders of ability, had from sheer necessity remained virtually at rest for nine years; now the truce was at an end, and this time it was headed by a man who, with more honesty than Carbo and with more talent than Flaccus, was in every respect called to take the lead.

Gaius Gracchus ($\frac{601}{153}$ — $\frac{633}{121}$) was very different from his brother, who was about nine years older. Like the latter, he had no relish for vulgar pleasures and vulgar pursuits; he was a man of thorough culture and a brave soldier; he had served with distinction before Numantia under his brother-in-law, and afterwards in Sardinia. But in talent, in character, and above all in passion he was decidedly superior to Tiberius. The clearness and self-possession, which the young man afterwards displayed amidst the pressure of all the varied labours requisite for the practical carrying out of his numerous laws, betokened his genuine statesmanly talent; as the passionate devotedness faithful even to death, with which his intimate friends clung to him, evinced the lovable nature of that noble mind. The discipline of suffering which he had undergone, and his compulsory reserve during the last nine years, augmented his energy of purpose and action; the indignation repressed within the depths of his breast only glowed there with an intensified fervour against the party which had distracted his country and murdered his brother. By virtue of this fearful vehemence of temperament he became the foremost orator that Rome ever had; without it, we should probably have been able to reckon him among the first statesmen of all times. Among the few remains of his recorded orations several¹ are, even in their present condition, of heart-stirring power; and we can well understand how those who heard or even merely read them were carried away by the impetuous torrent of his words. Yet, great master as he was of language, he was himself not unfrequently mastered by anger, so that the utterance of the brilliant speaker-

¹ Such are the words spoken on the announcing of his projects of law:—
 "If I were to speak to you and ask of you, seeing that I am of noble descent and have lost my brother on your account, and that there is now no survivor of the descendants of Publius Africanus and Tiberius Gracchus excepting only myself and a boy, to allow me to take rest for the present, in order that our stock may not be extirpated and that an offset of that family may still survive; you would perhaps readily grant me such a

became confused or faltering. It was the true image of his political acting and suffering. In the nature of Gaius there was no vein, such as his brother had, of that somewhat sentimental but very

would have desired

by entreaties and on the career of revolution and strove to reach the goal of vengeance.

To me too his mother wrote to him, "nothing seems finer and more glorious than to retaliate on an enemy, so far as it can be done without the country's ruin. But if this is not possible, then may our enemies continue and remain what they are, a thousand times rather than that our country should perish." Cornelia knew her son, his creed was just the reverse.

Vengeance he would wreak on the wretched government, vengeance at any price, though he himself and even the commonwealth were to be ruined by it. The presentiment, that fate would overtake him as certainly as his brother, drove him only to make haste, like a man mortally wounded who throws himself on the foe. The mother thought more nobly, but the son—with his deeply provoked passionately excited, thoroughly Italian nature—has been more lamented than blamed by posterity, and posterity has been right in its judgment.

Tiberius Gracchus had come before the burgesses with a single administrative reform. What Gaius introduced in a series of separate proposals was nothing else than an entirely new constitution, the foundation stone of which was furnished by the innovation previously introduced, that a tribune of the people should be at liberty to solicit re-election for the following year. While this step enabled the popular chief to acquire a permanent position and one which protected its holder, the next object was to secure for him material power or, in other words, to attach the multitude of the capital—for that no reliance was to be placed on the country people coming only from time to time to the city, had been sufficiently apparent—with its interests steadfastly to its leader. This purpose was served first of all, by introducing distributions of corn in the capital. The grain accruing to the state from the provincial tenths had already been frequently given away at nominal prices to the burgesses (ii 350). Gracchus enacted that every burgess who should personally present himself in the capital should thenceforth be allowed monthly a definite quantity—apparently 5 *modii* (1½ bushel)—from the public stores, at 6½ *asses* (3d) for the *modius*, or not quite the half of a low average price (ii 351, *note*), for which

purpose the public corn-stores were enlarged by the construction of the new Sempronian granaries. This distribution—which consequently excluded the burgesses living out of the capital, and could not but attract to Rome the whole mass of the burgess-proletariate—was designed to bring the burgess-proletariate of the capital, which hitherto had mainly depended on the aristocracy, into dependence on the leaders of the movement-party, and thus to supply the new master of the state at once with a body-guard and with a firm majority in the comitia. For greater security as regards the latter, moreover, the order of voting still subsisting in the *comitia centuriata*, according to which the five property-classes in each tribe gave their votes one after another (ii. 331), was done away; instead of this, all the centuries were in future to vote after one another in an order of succession to be fixed on each occasion by lot. While these enactments were mainly designed to procure for the new chief of the state by means of the city-proletariate the complete command of the capital and thereby of the state, the amplest control over the comitial machinery, and the power in case of need of striking terror into the senate and magistrates, the legislator certainly at the same time set himself with earnestness and energy to redress the existing social evils. It is true that the Italian domain question was in a certain sense settled. The agrarian law of Tiberius and even the allotment-commission still continued legally in force; the agrarian law carried by Gracchus can have enacted nothing new save the restoration to the commissioners of the jurisdiction which they had lost. That the object of this step was only to save the principle, and that the distribution of lands, if resumed at all, was resumed only to a very limited extent, is shown by the burgess-roll, which gives exactly the same number of persons for the years $\frac{62}{11}$ and $\frac{63}{11}$. Gaius beyond doubt did not proceed further in this matter, because the domain-land intended for distribution by his brother was already in substance distributed, and the question as to the domains enjoyed by the Latins could only be taken up anew in connection with the very difficult question as to the extension of Roman citizenship. On the other hand he took an important step beyond the agrarian law of Tiberius, when he proposed the establishment of colonies in Italy—at Tarentum, and more especially at Capua—and by that course rendered the domain-land which had been let on lease by the state and was hitherto excluded from distribution, liable to be also parcelled out, not, however, according to the previous method, which did not

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contemplate the founding of new communities (p. 96), but according to the colonial system. No doubt these colonies were also designed to aid in permanently defending the revolution to which they owed their existence. Still more significant and momentous was the measure, by which Gaius Gracchus first proceeded to provide for the Italian proletariat in the transmarine territories of the state. He despatched to the site on which Carthage had stood 10,000 colonists selected perhaps not merely from Roman burghers but also from the Italian allies, and conferred on the new town of *Junonia* the rights of a Roman burgher colony. The foundation was important, but still more important was the principle of transmarine emigration which it established. It opened up for the Italian proletariat a permanent outlet, and a relief in fact more than provisional; but it certainly abandoned the principle of state-law hitherto in force, by which Italy was regarded exclusively as the governing territory exclusively as the governed,

probability, violently infringed — that no burgess should be enlisted in the army before the commencement of his seventeenth year; and also, apparently, restricted the number of campaigns requisite for full exemption from military duty. Besides, the clothing of the soldiers, the value of which had hitherto been deducted from their pay, was henceforward furnished gratuitously by the state.

To this head belongs, moreover, the tendency which is on various occasions apparent in the Gracchan legislation, if not to abolish, at any rate to restrict, capital punishment still further than had been done before—a tendency which to some extent made itself felt even in military jurisdiction. From the very introduction of the republic the magistrate had lost the right of inflicting capital punishment on the burgess without consulting the community, except under martial law (i. 248, 435). As this right of appeal on the part of the burgess appears soon after the period of the Gracchi available even in the camp, and the right of the general to inflict capital punishments appears restricted to allies and subjects, the source of the change is probably to be sought in the law of Gaius Gracchus *de provocatione*. The right of the community to inflict or rather to confirm sentence of death was also indirectly but materially limited by the fact, that Gracchus withdrew the cognisance of those public crimes which most frequently gave occasion to capital sentences—poisoning and murder generally—from the burgesses, and entrusted it to permanent judicial commissions. These could not, like the tribunals of the people, be broken up by the intercession of a tribune, and there not only lay no appeal from them to the community, but their sentences were as little subject to be annulled by the community as those of the old institute of civil jurymen. In the burgess-tribunals it had, especially in strictly political processes, no doubt long been the rule that the accused remained at liberty during his trial, and was allowed by surrendering his burgess-rights to withdraw from punishment and to save his life and freedom as well as his property, so far, of course, as no civil claims were made good against the latter. But preliminary arrest and complete execution of the sentence remained in such cases at least legally possible, and were still sometimes carried into effect even against persons of rank; for instance, Lucius Hostilius Tubulus, prætor in $\frac{612}{142}$,

Gracchus reduced the number of the legal years of service, seems to follow from Asconius in *Cornel.* p. 68; comp. Plutarch, *Ti Gracch.* x6; Dio, *Fr.* 83, 7, Bekk.

who was capitally impeached for a heinous crime, was refused the privilege of exile, arrested, and executed. On the other hand the judicial commissions, which originated out of the form of civil process, could not from the first touch the liberty or life of the citizen, but at the most could only pronounce sentence of exile, this, which had hitherto been a mitigation of punishment accorded to one who was found guilty, now became for the first time a formal penalty. This involuntary exile however, like the voluntary, left to the person banished his property, so far as it was not exhausted in satisfying claims for compensation and fines.

Lastly, in the matter of debt Gaius Gracchus made no alteration. But very respectable authorities assert that he held out to those in debt the hope of a diminution or remission of claims, which, if it is correct, must likewise be reckoned among those popular measures of a radical stamp.

While Gracchus thus leaned on the support of the multitude, which partly expected, partly received from him a material improvement of its position, he laboured with equal energy at the ruin of the aristocracy. Perceiving clearly how insecure was the power of the head of the state if based merely on the proletariat, he applied himself above all to split the aristocracy and to draw a part of it over to his interests. The elements of such a rupture were already in existence. The aristocracy of the rich, which had risen as one man against Tiberius Gracchus, consisted in fact of two essentially dissimilar bodies, which may be in some measure compared to the peerage and the city aristocracy of England. The one embraced the practically close circle of the governing senatorial families who kept aloof from direct speculation and invested their immense capital partly in landed property, partly as sleeping partners in the great companies. The main body of the second class was composed of the speculators, who, as managers of these companies, or on their own account, conducted the large mercantile and pecuniary transactions throughout the range of the Roman hegemony. We have already shown (ii. 355 *et seq.*) how the latter class, especially in the course of the sixth century, gradually took its

senators and the mercantile and moneyed men. In the present epoch the mercantile aristocracy began, under the name of the

equites, to exercise a decisive influence in political affairs. This appellation, which originally belonged only to the burgess-cavalry on service, came gradually to be transferred, at any rate in ordinary use, to all those who, as possessors of an estate of at least 400,000 sesterces, were liable to cavalry service in general, and thus comprehended the whole upper ranks, senatorial and non-senatorial, of society in Rome. But not long before the time of Gaius Gracchus the law had declared a seat in the senate incompatible with service in the cavalry (p. 69), and the senators were thus marked off from those capable of serving as *equites*; and accordingly the equestrian order, taken as a whole, might be regarded as representing the aristocracy of speculators in contradistinction to the senate. Nevertheless those members of senatorial families who had not entered the senate, more especially the younger members, did not cease to serve as *equites* and consequently to bear the name; and, in fact, the burgess-cavalry properly so called—that is, the eighteen equestrian centuries—in consequence of being made up by the censors continued to be chiefly filled up from the young senatorial aristocracy (ii. 301).

This order of the *equites*—that is to say, substantially, of the wealthy merchants—in various ways came roughly into contact with the governing senate. There was a natural antipathy between the genteel aristocrats and the men to whom money had given rank. The ruling lords, especially the better class of them, stood just as much aloof from speculations, as the men of material interests were indifferent to political questions and coterie-feuds. The two classes had already frequently come into sharp collision, particularly in the provinces; for, though in general the provincials had far more reason than the Roman capitalists had to complain of the partiality of the Roman magistrates, yet the ruling lords of the senate did not condescend to countenance the greedinesses and injustices of the moneyed men at the expense of the subjects so thoroughly and absolutely as was desired. In spite of their agreement in opposing a common foe such as was Tiberius Gracchus, a deep gulf lay between the nobility and the moneyed aristocracy; and Gaius, more adroit than his brother, enlarged it till the alliance was broken up and the mercantile class ranged itself on his side. That the external privileges, through which afterwards the men of equestrian census were distinguished from the rest of the multitude—the golden finger-ring instead of the ordinary ring of iron or copper, and the separate and better

place at the burgess festivals—were first conferred on the equites by Gaius Gracchus, is not certain, but is not improbable. For they emerged at any rate about this period, and, as the extension of these hitherto mainly senatorial privileges (n 296, 301) to the equestrian order which he brought into prominence was quite in the style of Gracchus, so it was in very truth his aim to impress on the equites the stamp of an order, similarly close and privileged, intermediate between the senatorial aristocracy and the common multitude, and this same aim was more promoted by those class insignia, trifling though they were in themselves and though many of equestrian rank might not avail themselves of them, than by many an ordinance far more intrinsically important. But the party of material interests, though it by no means despised such honours, was yet not to be gained through these alone. Gracchus perceived well that it would doubtless duly fall to the highest bidder, but that it needed a great and substantial bidding, and so he offered to it the revenues of Asia and the jury courts.

The system of Roman financial administration, under which the indirect taxes as well as the domain revenues were levied by means of middlemen, in itself granted to the Roman capitalist class the most extensive advantages at the expense of those liable to taxation. But the direct taxes consisted either, as in most provinces, of fixed sums of money payable by the communities—which of itself excluded the intervention of Roman capitalists—or, as in Sicily and Sardinia, of a ground tenth, the levying of which for each particular community was leased in the provinces themselves, so that wealthy provincials regularly, and the tributary communities themselves very frequently, farmed the tenth of their districts and thereby kept at a distance the dangerous Roman middlemen. Six years ago, when the province of Asia had fallen to the Romans, the senate had organised it substantially according to the first system (p 53). Gaius Gracchus¹ overturned this arrangement by a decree of the commons, and not only burdened the province, which had hitherto been managed with the most extensive freedom, with the ground tenth, but also subjected it to auction for the province as a whole and in Rome—a rule which practically excluded the provincials from participation, and called into

¹ That he and not Tiberius was the author of this law now appears from Fronto in the letters to Verus, *inf* Comp Gracchus ap Gell xl. 10, Cic. *de Rep* iii. 29 and *Ierr* i. 6 12 Vellei ii. 6

existence in the body of middlemen for the *decumae*, *scriptura*, and *rectigalia* of the province of Asia an association of capitalists of colossal magnitude. A significant indication, moreover, of the endeavour of Gracchus to make the order of capitalists independent of the senate was the enactment, that the entire or partial remission of the stipulated rent was no longer, as hitherto, to be granted by the senate at discretion, but was under definite contingencies to be accorded by law.

While a gold mine was thus opened for the mercantile class, and the members of the new partnership constituted a great financial power imposing even for the government—a “senate of merchants”—a definite sphere of public action was at the same time assigned to them in the jury courts. The field of the criminal procedure which by right fell to be conducted before the burgesses was among the Romans from the first very narrow, and was, as we have already stated (p. 105), still further narrowed by Gracchus. Most processes—both such as related to public crimes and civil causes—were decided either by single jurymen [*iudices*], or by commissions partly permanent, partly extraordinary. Hitherto both the former and the latter had been exclusively taken from the senate; Gracchus transferred the functions of jurymen—both in strictly civil processes, and in the case of the standing and temporary commissions—to the equestrian order, directing a new list of jurymen to be annually formed after the analogy of the equestrian centuries from all persons of equestrian rating, and excluding the senators directly, and the young men of senatorial families by the fixing of a certain limit of age, from judicial functions.¹ It is not improbable that the selection of jurymen was chiefly made to fall on the same men who played the leading part in the great mercantile associations, particularly those farming the revenues in Asia and elsewhere, just because these had a very close personal interest in sitting in the courts; and, if the lists of *iudices* and the societies of *publicani* thus coincided as regards their chiefs, we can all the better understand the significance of the counter-senate thus constituted. The substantial effect of this was, that, while hitherto there had been only two authorities in the state—the government as the administering and controlling, and the burgesses as the legislative, authority—and the courts

¹ We still possess a great portion of the new ordinance—primarily, occasioned by this alteration in the *personnel* of the judges—for the standing commission regarding extortion; it is known under the name of the Servilian, or rather Acilian, law *de repetundis*.

had been divided between them, now the moneyed aristocracy was not only united into a compact and privileged class on the solid basis of material interests, but also, as a judicial and controlling power, formed part of the state and took its place almost on a footing of equality by the side of the ruling aristocracy. All the old antipathies of the merchants against the nobility necessarily, from this time forth, found only too practical an expression in the sentences of the jurymen, above all, when the provincial governors were called to account, the senator had to await a decision involving his civil existence at the hands no longer as formerly of his peers, but of great merchants and bankers. The feuds between the Roman capitalists and the Roman governors were transplanted from the provincial administration to the dangerous field of these processes of reckoning. Not only was the aristocracy of the rich divided, but care was taken that the variance should always find fresh nourishment and easy expression.

With his weapons—the proletariat and the mercantile class—thus prepared, Gracchus proceeded to his main work, the overthrow of the ruling aristocracy. The overthrow of the senate meant on the one hand, the depriving it of its essential functions, and on the other hand, the

and transient kind of administration, in particular, had hitherto belonged to the senate, Gracchus took it away, partly by settling the questions by means of comitial

election, and partly by the current legislative process, and by the kind

have been mentioned already. The state without consulting the senate meddled with the state-treasury, by imposing a permanent and oppressive burden on the public finances in the distribution of corn, meddled with the domains, by sending out colonies not as formerly by decree of the senate but by decree of the people, and meddled with the provincial administration through a law of the people the senate to the province of

Asia and substituting altogether different. One of the most important of the current duties of the senate—the arbitrary fixing of the respective spheres of duty of the two consuls—was not withdrawn from it, but the indirect pressure

hitherto exercised in this way over the supreme magistrates was neutralised by directing the senate to fix the spheres of duty before the consuls concerned were elected. With unrivalled activity, lastly, Gaius concentrated the most varied and most complicated functions of government in his own person. He himself watched over the distribution of grain, selected the jurymen, founded the colonies in person notwithstanding that his magistracy legally chained him to the city, regulated highways and concluded building-contracts, led the discussions of the senate, settled the consular elections—in short, he accustomed the people to the fact that one man was foremost in all things, and threw the lax and lame administration of the senatorial college into the shade by the vigour and dexterity of his personal rule.

Gracchus interfered with the jurisdiction, still more energetically than with the administration, of the senate. We have already mentioned that he set aside the senators from the ordinary judicial functions; the same course was taken with the jurisdiction which the senate as the supreme administrative board assumed in exceptional cases. Under severe penalties he prohibited—apparently in his renewal of the law *de provocatione*¹—the appointment of extraordinary commissions of high treason by decree of the senate, such as that which after his brother's murder had sat in judgment on his adherents. The effect of these measures was, that the senate wholly lost the power of control, and retained only so much of administration as the head of the state thought fit to leave to it. But these organic measures were not enough; the governing aristocracy for the time being was also directly assailed. It was a mere act of revenge, which assigned retrospective effect to the last-mentioned law and by virtue of it compelled Publius Popillius—the aristocrat who after the death of Nasica, which had occurred in the interval, was chiefly obnoxious to the democrats—to leave the country. It is remarkable that this proposal was only carried by eighteen to seventeen votes in the assembly of the tribes—a sign how much the influence of the aristocracy still availed with the multitude, at least in questions of a personal interest. A similar but far less justifiable decree—the proposal, directed against Marcus Octavius, that whoever had been deprived of his office by decree of the people should be for ever incapable of filling a public post—was recalled by Gracchus at the request of his mother; and he was thus spared the disgrace

¹ This and the law *ne quis iudicio circumveniat* may have been identical.

of openly mocking justice by legalising a notorious violation of the constitution, and of taking base vengeance on a man of honour, who had not spoken an angry word against Tiberius and had only acted constitutionally and in accordance with what he conceived to be his duty. But of very different importance from these measures was the scheme of Gaius—which, it is true, was hardly carried into effect—to reinforce the senate by 300 new members, that is, by just about as many as it previously had, and to have them elected from the equestrian order by the *comitia*—a creation of peers after the most comprehensive style, which would have reduced the senate into the most complete dependence on the chief of the state.

This was the political constitution which Gaius Gracchus projected and, in its most essential points, carried out during the two years of his tribunate ($\frac{631}{123}$, $\frac{632}{124}$), without, so far as we can see, encountering any resistance worthy of mention, and without requiring to apply force for the attainment of his ends. The order in which these measures were carried can no longer be recognised in the broken accounts handed down to us, and various questions that suggest themselves have to remain unanswered. But it does not seem as if, in what is missing, many elements of material importance can have escaped us, for as to the principal matters we have information entirely trustworthy, and Gaius was by no means like his brother urged on further and further by the current of events, but evidently had a well considered and comprehensive plan, the substance of which he fully embodied in a series of special laws.

Now the Sempronian constitution itself shows very clearly to every one who is able and willing to see, that Gaius Gracchus did not at all, as many good natured people in ancient and modern times have supposed, wish to place the Roman republic on new democratic bases, but that on the contrary he wished to abolish it and to introduce in its stead a *Tyrannis*—that is, in modern language, a monarchy not of the feudal or of the theocratic, but of the Napoleonic absolute, type—in the form of a

aimed at the overthrow of the government of the senate, what other political organisation but the *Tyrannis* remained possible, after overthrowing the aristocratic government, in a commonwealth which had outgrown collective assemblies and had no

knowledge of parliamentary government? Dreamers such as was his predecessor, and knaves such as after times produced, might call this in question; but Gaius Gracchus was a statesman, and though the formal shape, which that great man had projected for his great work, has not been handed down to us and may be conceived of very variously, yet he was beyond doubt aware of what he was doing. While the intention of usurping monarchical power can scarcely be mistaken, those who survey the whole circumstances will scarcely blame Gracchus for it. An absolute monarchy is a great misfortune for a nation, but it is a less misfortune than an absolute oligarchy; and history cannot censure one who imposes on a nation the lesser suffering instead of the greater, least of all in the case of a nature so vehemently earnest and so far aloof from all that is vulgar as was that of Gaius Gracchus. Nevertheless it may not conceal the fact that his whole legislation was pervaded in a most pernicious way by conflicting aims; for on the one hand it aimed at the public good, while on the other hand it ministered to the personal objects and in fact the personal vengeance of the ruler. Gracchus earnestly laboured to find a remedy for social evils, and to check the spread of pauperism; yet he at the same time intentionally reared up a street proletariat of the worst kind in the capital by his distributions of corn, which were designed to be, and became, a premium to all the lazy and hungry civic rabble. Gracchus censured in the bitterest terms the venality of the senate, and in particular laid bare with unsparing and just severity the scandalous traffic which Manius Aquillius had driven with the provinces of Asia Minor;¹ yet it was through the efforts of the same man that the sovereign populace of the capital got itself alimented in return for its cares of government by the body of its subjects. Gracchus warmly disapproved the disgraceful spoliation of the provinces, and not only instituted proceedings of wholesome severity in particular

¹ A considerable fragment of an oration of Gracchus, still extant, relates to this trafficking about the possession of Phrygia, which after the annexation of the kingdom of Attalus was offered for sale by Manius Aquillius to the kings of Bithynia and of Pontus, and was bought by the latter as the highest bidder (p. 53). In this speech he observes that no senator troubled himself about public affairs for nothing, and adds that with reference to the law under discussion (as to the granting of Phrygia to king Mithradates) the senate was divisible into three classes, viz., those who were in favour of it, those who were against it, and those who were silent: that the first were bribed by king Mithradates, the second by king Nicomedes, while the third were the most cunning, for they accepted money from the envoys of both kings and made each party believe that they were silent in its interests.

cases, but also procured the abolition of the thoroughly insufficient senatorial courts, before which even Scipio Aemilianus had vainly staked his whole influence to bring the most decided criminals to punishment, yet he at the same time, by the introduction of courts composed of merchants, surrendered the provincials with their hands fettered to the party of material interests and thereby to a despotism still more unscrupulous than that of the aristocracy had been, and he introduced into Asia a taxation, compared with which even the form of taxation established after the Carthaginian model in Sicily might be called mild and humane—just because on the one hand he needed the party of moneyed men, and on the other hand required new and comprehensive resources to meet his distributions of grain and the other burdens newly imposed on the finances. Gracchus beyond doubt desired a firm administra-

formally legalised, and he intentionally drew the judicial system—which every well-ordered state will endeavour as far as possible to place, if not above political parties, at any rate aloof from them—into the midst of the whirlpool of revolution. Certainly the blame of these conflicting tendencies in Gaius Gracchus is chargeable to a very great extent on his position rather than on himself personally. On the very threshold of the Tyrannis he was confronted by the fatal dilemma, moral and political, that the same man had at one and the same time to hold his ground, we may say, as a robber chieftain and to lead the state as its first citizen—a dilemma to which Pericles, Caesar, and Napoleon had also to make dangerous sacrifices. But the conduct of Gaius Gracchus cannot be wholly explained from this necessity, along with it there worked in him the consuming passion, the glowing revenge, which foreseeing its own destruction hurls the firebrand into the house of the foe. He has himself expressed what he thought of his ordinance as to the jury men and similar measures intended to divide the aristocracy, he called them daggers which he had thrown into the Forum that the burgesses—the upper ranks, of course—might lacerate each other with them. He was a political incendiary. Not only was the hundred years' revolution which dates from him, so far as it was one man's work, the work of Gaius Gracchus, but he was above all the true founder of that terrible urban proletariat flattered and paid by the classes above it, which was through

its aggregation in the capital—the natural consequence of the largesses of corn—at once utterly demoralised and made conscious of its power, and which—with its demands, sometimes stupid, sometimes knavish, and its talk of the sovereignty of the people—lay like an incubus for five hundred years upon the Roman commonwealth and only perished along with it. And yet this greatest of political transgressors was the regenerator of his country. There is scarce a fruitful idea in Roman monarchy, which is not traceable to Gaius Gracchus. From him proceeded the maxim—founded doubtless in a certain sense in the nature of the traditionary laws of war, but yet in the extension and practical application now given to it foreign to the older state-law—that all the land of the subject communities was to be regarded as the private property of the state; a maxim which was primarily employed to vindicate the right of the state to tax that land at pleasure, as was the case in Asia, or to apply it for the institution of colonies, as was done in Africa, and which became afterwards a fundamental principle of law under the empire. From him proceeded the tactics adopted by the demagogues and tyrants, whereby with the support of material interests they broke down the governing aristocracy, but subsequently legitimised the change of constitution by substituting a strict and judicious administration for the previous misgovernment. To him, in particular, are traceable the first steps towards such a reconciliation between Rome and the provinces as the establishment of monarchy could not but bring in its train; the attempt to rebuild Carthage destroyed by Italian rivalry and generally to open the way for Italian emigration towards the provinces, formed the first link in the long chain of that momentous and beneficial course of action. Right and wrong, fortune and misfortune were so inextricably blended in this singular man and in this marvellous political constellation, that it may well beseem history in this case—though it beseems her but seldom—to reserve her judgment.

When Gracchus had substantially completed the new constitution projected by him for the state, he applied himself to a second and difficult work. The question as to the Italian allies was still undecided. What were the views of the democratic leaders regarding it, had been rendered sufficiently apparent (p. 99). They naturally desired the utmost possible extension of the Roman franchise, not only in order to render the domains occupied by the Latins liable to distribution, but above all in order to reinforce their following by the enormous

mass of the new burgesses, to bring the comitial machine still more fully under their power by widening the body of privileged electors, and generally to abolish a distinction which had now with the fall of the republican constitution lost all serious importance. But here they encountered resistance from their own party, and especially from that band which otherwise readily gave its sovereign affirmative to all which it did or did not understand. For the simple reason that Roman citizenship seemed to these people, so to speak, like a partnership which gave them a claim to share in sundry very tangible profits, direct and indirect, they were not at all disposed to enlarge the number of the partners. The rejection of the Fulvian law in 429, and the insurrection of the Fregellans arising out of it, were significant indications both of the obstinate perseverance of the fraction of the burgesses that ruled the comitia, and of the urg

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in opposition to the proposal. "Do you then think," said the

Optimate, "that, if you confer the franchise on the Latins,

you will be able to find a place in future—just as you are now

standing there in front of me—in the burgess assembly or at the

games and popular amusements? Do you not believe, on the

contrary, that those people will occupy every spot?" Among

the burgesses of the fifth century, who on one day conferred the

franchise on all the Sabines, such an orator might perhaps have

been hissed, those of the seventh found his reasoning un-

commonly clear, and the price of the assignation of the Latin

domains, which was offered to it by Gracchus, far too low.

The very circumstance, that the senate carried a permission to

eject from the city all non burgesses before the day for the

decisive vote, showed the fate in store for the proposal. And

when before the voting Lucius Drusus, a colleague of Gracchus,

interposed his veto against the law, the people received the veto in such a way that Gracchus could not venture to proceed further, or even to prepare for Drusus the fate of Marcus Octavius.

It was, apparently, this success which emboldened the senate to attempt the overthrow of the victorious demagogue. The weapons of attack were substantially the same with which Gracchus himself had formerly operated. The power of Gracchus rested on the mercantile class and the proletariat; primarily on the latter, which in this conflict, wherein neither side had any military reserve, acted as it were the part of an army. It was clear that the senate was not powerful enough to wrest either from the merchants or from the proletariat their new privileges; any attempt to assail the corn-laws or the new jury-arrangement would have led, under a somewhat grosser or somewhat more civilised form, to a street-riot in presence of which the senate was utterly defenceless. But it was no less clear, that Gracchus himself and these merchants and proletarians were only kept together by mutual advantage, and that the men of material interests were ready to accept their posts, and the populace strictly so-called its bread, quite as well from any other as from Gaius Gracchus. The institutions of Gracchus stood, for the moment at least, immovably firm with the exception of a single one—his own supremacy. The weakness of the latter lay in the fact, that in the constitution of Gracchus no relations of allegiance subsisted at all between the chief and the army; and, while the new constitution possessed all other elements of vitality, it lacked one—the moral tie between ruler and ruled, without which every state rests on a pedestal of clay. In the rejection of the proposal to admit the Latins to the franchise it had been demonstrated with decisive clearness that the multitude in fact never voted for Gracchus, but always simply for itself. The aristocracy conceived the plan of offering battle to the author of the corn-largesses and land-assignments on his own ground.

As a matter of course, the senate offered to the proletariat not merely the same advantages as Gracchus had already assured to it in corn and otherwise, but advantages still greater. Commissioned by the senate, the tribune of the people Marcus Livius Drusus proposed to release those who received land under the laws of Gracchus from the rent imposed on them (p. 85), and to declare their allotments to be free and alienable property; and, further, to provide for the proletariat not in transmarine, but

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in twelve Italian colonies, each of 3000 colonists, for the planting of which the people might nominate suitable men, only, Drusus himself declined—in contrast with the Gracchan family-collegium—to take part in this honourable duty. Probably the Latins were named as those at whose expense the plan was to be carried out, for there does not appear to have now existed in Italy other occupied domain land of any extent save that which was enjoyed by them. We find enactments of Drusus—such as the regulation that the punishment of scourging should only be allowed to be inflicted on the Latin soldier by the Latin officer set over him, and not by the Roman officer—which were to all appearance intended to indemnify the Latins for other losses. The plan was not the most refined. The attempt at rivalry was too clear, the endeavour to draw the fair bond between the nobles and the proletariat still closer by their exercising jointly a tyranny over the Latins was too transparent, the inquiry suggested itself too readily, In what part of the peninsula, now that the Italian domains had been mainly given away already—even granting that the whole domains assigned to the Latins were confiscated—was the occupied domain land requisite for the formation of twelve new, numerous, and compact burgess communities to be discovered? Lastly the declaration of Drusus, that he would have nothing to do with the execution of his law, was so dreadfully prudent that it was almost the height of absurdity. But the clumsy snare was quite suited for the stupid game which they wished to catch. There was the additional and perhaps decisive consideration, that Gracchus, on whose personal influence every thing depended,

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the part of the tribune presiding at the election, who had been
formerly offended by Gracchus. Thus the foundation of his
despotism gave way beneath him. A second blow was inflicted
on him by the consular elections, which not only proved in a
general sense adverse to the democracy, but which placed at the
head of the state Lucius Opimius, who as praetor in 432 had

conquered Fregellæ, one of the most decided and least scrupulous chiefs of the strict aristocratic party, and a man firmly resolved to get rid of their dangerous antagonist at the earliest opportunity.

Such an opportunity soon occurred. On the 10th of December, 533, Gracchus ceased to be tribune of the people; on the 1st of January, 533. Opimius entered on his office. The first attack, as was fair, was directed against the most useful and the most unpopular measure of Gracchus, the restoration of Carthage. While the transmarine colonies had hitherto been only indirectly assailed through the greater allurements of the Italian, African hyænas, it was now alleged, dug up the newly-placed boundary-stones of Carthage, and the Roman priests, when requested, certified that such signs and portents ought to form an express warning against rebuilding on a site accursed by the gods. The senate thereby found itself in conscience compelled to have a law proposed, which prohibited the planting of the colony of Junonia. Gracchus, who with the other men nominated to establish it was just then selecting the colonists, appeared on the day of voting at the Capitol whither the burgesses were convoked, with a view to procure by means of his adherents the rejection of the law. He wished to shun acts of violence, that he might not himself supply his opponents with the pretext which they sought; but he had not been able to prevent a great portion of his faithful partisans, who remembered the catastrophe of Tiberius and were well acquainted with the designs of the aristocracy, from appearing in arms, and amidst the immense excitement on both sides quarrels could hardly be avoided. The consul Lucius Opimius offered the usual sacrifice in the porch of the Capitoline temple; one of the attendants assisting at the ceremony, Quintus Antullius, with the holy entrails in his hand, haughtily ordered the "bad citizens" to quit the porch, and seemed as though he would lay hands on Gaius himself; whereupon a zealous Gracchan drew his sword and cut the man down. A fearful tumult arose. Gracchus vainly sought to address the people and to avert from himself the responsibility of the sacrilegious murder; he only furnished his antagonists with a fresh and formal ground of accusation, as, without being aware of it in the confusion, he interrupted a tribune in the act of speaking to the people—an offence, for which an obsolete statute, originating at the time of the old dissensions between the orders (i. 272), had prescribed the severest penalty. The consul Lucius Opimius took his measures

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Such an opportunity soon occurred. On the 10th of December, $\frac{632}{122}$, Gracchus ceased to be tribune of the people; on the 1st of January, $\frac{633}{121}$, Opimius entered on his office. The first attack, as was fair, was directed against the most useful and the most unpopular measure of Gracchus, the restoration of Carthage. While the transmarine colonies had hitherto been only indirectly assailed through the greater allurements of the Italian, African hyaenas, it was now alleged, dug up the newly-placed boundary-stones of Carthage, and the Roman priests, when requested, certified that such signs and portents ought to form an express warning against rebuilding on a site accursed by the gods. The senate thereby found itself in conscience compelled to have a law proposed, which prohibited the planting of the colony of Junonia. Gracchus, who with the other men nominated to establish it was just then selecting the colonists, appeared on the day of voting at the Capitol whither the burgesses were convoked, with a view to procure by means of his adherents the rejection of the law. He wished to shun acts of violence, that he might not himself supply his opponents with the pretext which they sought; but he had not been able to prevent a great portion of his faithful partisans, who remembered the catastrophe of Tiberius and were well acquainted with the designs of the aristocracy, from appearing in arms, and amidst the immense excitement on both sides quarrels could hardly be avoided. The consul Lucius Opimius offered the usual sacrifice in the porch of the Capitoline temple; one of the attendants assisting at the ceremony, Quintus Antullius, with the holy entrails in his hand, haughtily ordered the "bad citizens" to quit the porch, and seemed as though he would lay hands on Gaius himself; whereupon a zealous Gracchan drew his sword and cut the man down. A fearful tumult arose. Gracchus vainly sought to address the people and to avert from himself the responsibility of the sacrilegious murder; he only furnished his antagonists with a fresh and formal ground of accusation, as, without being aware of it in the confusion, he interrupted a tribune in the act of speaking to the people—an offence, for which an obsolete statute, originating at the time of the old dissensions between the orders (i. 272), had prescribed the severest penalty. The consul Lucius Opimius took his measures

to put down by force of arms the insurrection for the overthrow of the republican constitution, as they chose to designate the events of this day. He himself passed the night in the temple of Castor in the Forum, at early dawn the Capitol was filled with Cretan archers, the senate house and Forum with the men of the government party—the senators and the section of the equites adhering to them—who by order of the consul had all appeared in arms and each attended by two armed slaves. None of the aristocracy were absent, even the aged and venerable Quintus Metellus, well disposed to reform, had appeared with shield and sword. An officer of ability and experience acquired in the Spanish wars, Decimus Brutus, was entrusted with the command of the armed force, the senate assembled in the senate house. The bier with the corpse of Antullius was deposited in front of it, the senate, as if surprised, appeared *en masse* at the door in order to view the dead body, and then retired to determine what should be done. The leaders of the democracy had gone from the Capitol to their houses, Marcus Flaccus had spent the night in preparing for the war in the streets, while Gracchus apparently disdained to strive with destiny. Next morning, when they learned the preparations made by their opponents at the Capitol and the Forum, both proceeded to the Aventine, the old stronghold of the popular party in the struggles between the patricians and the plebeians. Gracchus went thither silent and unarmed, Flaccus called the slaves to arms and entrenched himself in the temple of Diana, while he at the same time sent his younger son Quintus to the enemy's camp in order if possible to arrange a compromise. The latter returned with the announcement that the aristocracy demanded unconditional surrender, at the same time he brought a summons from the senate to Gracchus and Flaccus to appear before it and to answer for their violation of the majesty of the tribunes. Gracchus wished to comply with the summons, but Flaccus prevented him from doing so, and repeated the equally weak and mistaken attempt to move such antagonists to a compromise. When instead of the two cited leaders the young Quintus Flaccus once more presented himself alone, the consul treated their refusal to appear as the beginning of open insurrection against the government, he ordered the messenger to be arrested and gave the signal for attack on the Aventine, while at the same time he caused proclamation to be made in the streets that the government would give to whosoever should bring the head of Gracchus or of Flaccus its literal

weight in gold, and that they would guarantee complete indemnity to every one who should leave the Aventine before the beginning of the conflict. The ranks on the Aventine speedily thinned; the valiant nobility in union with the Cretans and the slaves stormed the almost undefended Mount, and killed all whom they found, about 250 persons, mostly of humble rank. Marcus Flaccus fled with his eldest son to a place of concealment, where they were soon afterwards hunted out and put to death. Gracchus had at the beginning of the conflict retired into the temple of Minerva, and was there about to pierce himself with his sword, when his friend Publius Laetorius seized his arm and besought him to preserve himself if possible for better times. Gracchus was induced to make an attempt to escape to the other bank of the Tiber; but when hastening down the hill he fell and sprained his foot. To gain time for him to escape, his two attendants turned to face his pursuers and allowed themselves to be cut down, Marcus Pomponius at the Porta Trigemina under the Aventine, Publius Laetorius at the bridge over the Tiber where Horatius Cocles was said to have once singly withstood the Etruscan army; so Gracchus, attended only by his slave Euporus, reached the suburb on the right bank of the Tiber. There, in the grove of Furrina, were afterwards found the two dead bodies; it seemed as if the slave had put to death first his master and then himself. The heads of the two fallen leaders were handed over to the government as required; the stipulated price and more was paid to Lucius Septumuleius, a man of quality, who delivered up the head of Gracchus, while the murderers of Flaccus, persons of humble rank, were sent away with empty hands. The bodies of the dead were thrown into the river; the houses of the leaders were abandoned to the pillage of the multitude. The warfare of prosecution against the partisans of Gracchus began on the grandest scale; as many as 3000 of them are said to have been strangled in prison, amongst whom was Quintus Flaccus, eighteen years of age, who had taken no part in the conflict and was universally lamented on account of his youth and his amiability. On the open space beneath the Capitol where the altar consecrated by Camillus after the restoration of internal peace (i. 295) and other shrines erected on similar occasions to Concord were situated, these small chapels were pulled down; and out of the property of the killed or condemned traitors, which was confiscated even to the portions of their wives, a new and splendid temple of Concord with the basilica belonging to it was erected

in accordance with a decree of the senate by the consul Lucius Opimius. Certainly it was an act in accordance with the spirit of the age to remove the memorials of the old, and to inaugurate a new concord over the remains of the three grandsons of the conqueror of Zama, all of whom—first Tiberius Gracchus, then Scipio Aemilianus, and lastly the youngest and most vehement, Gaius Gracchus—had now been engulfed by the revolution. The memory of the Gracchi remained officially proscribed; Cornelia was not allowed even to put on mourning for the death of her last son; but the passionate attachment, which very many had felt towards the two noble brothers and especially towards Gaius during their life, was touchingly displayed also after their death in the almost religious veneration which the multitude, in spite of all precautions of police, continued to pay to their memory and to the spots where they had fallen.

CHAPTER IV

THE RULE OF THE RESTORATION

THE new structure, which Gaius Gracchus had reared, became on his death a ruin. His death indeed, like that of his brother, was primarily a mere act of vengeance; but it was at the same time a very material step towards the restoration of the old constitution, when the person of the monarch was taken away from the monarchy just as it was on the point of being established. It was all the more so in the present instance, because after the fall of Gaius and the sweeping and bloody prosecutions of Opimius there existed at the moment absolutely no one, who, either by relationship to the fallen chief of the state or by pre-eminent ability, might feel himself warranted in even attempting to occupy the vacant place. Gaius had departed from the world childless, and the son whom Tiberius had left behind him died before reaching manhood; the whole popular party, as it was called, was literally without any one who could be named as leader. The Gracchan constitution resembled a fortress without a commander; the walls and garrison were uninjured; but the general was wanting, and there was no one to take possession of the vacant place save the very government which had been overthrown.

So it accordingly happened. After the decease of Gaius Gracchus without heirs, the government of the senate as it were spontaneously resumed its place; and this was the more natural, that it had not been, in the strict sense, formally abolished by Gaius Gracchus, but had merely been reduced to a practical nullity by his exceptional proceedings. Yet we should greatly err, if we should discern in this restoration nothing further than a relapse of the state-machine into the old track which had been beaten and worn for centuries. Restoration is always revolution; but in this case it was not so much the old government as the old governor that was restored. The oligarchy made its appearance newly equipped in the armour of the *tyrannis* which had been overthrown. As the senate had beaten Gracchus from the field with his own weapons, so it continued in the most

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essential points to govern with the constitution of the Gracchi; with the secret intention, if not of setting it in due time to tocracy.

At first the reaction was : Publius Popilius was recalled from banishment after the enactments relating to him had been cancelled (⁶³³11), and a warfare of prosecution was waged against the adherents of Gracchus; whereas the attempt of the popular party to have Lucius Opimius after his resignation of office condemned for high treason was frustrated by the partisans of the government (⁶³⁴126). The character of this government of the restoration is significantly indicated by the progress of the aristocracy in soundness of opinion. Gaius Carbo, once the ally of the Gracchi, had for long been a convert (p 99), and had but recently shown his zeal and his usefulness as defender of Opimius. But he remained a renegade when the democrats raised the same accusation against him as against Opimius, the government were not unwilling to let him fall, and Carbo, seeing himself lost between the two parties, died by his own hand. Thus the men of the reaction showed themselves in personal questions pure aristocrats. But the reaction did not immediately attack the distributions of grain, the taxation of the province of Asia, or the Gracchan ordinances as to the jurymen and the tribunals; on the contrary, it not only spared the mercantile class and the proletariat of the capital, but continued to render homage, as it had already done in the introduction of the Livian laws, to these powers and especially to the proletariat far more decidedly than had been done by the Gracchi. This course was not adopted merely because the Gracchan revolution retained hold on the minds of its contemporaries and protected creations, the fostering and cherishing of the interests of the populace at least by the aristocracy were in fact perfectly compatible with their own advantage, and nothing further was sacrificed by such a policy than merely the public weal.

All those measures which were devised by Gaius Gracchus for the promotion of the public welfare—the best but, as may readily be conceived, also the most unpopular part of his legislation—were allowed by the aristocracy to drop. Nothing was and so successfully assailed as the noblest of his hereafter between Italy and the provinces, and the distinction between

the merely ruling and consuming and the merely serving and working members of the state was thus done away—at the same time solving the social question by the most comprehensive and systematic emigration known in history. With all the determination and all the peevish obstinacy of dotage the restored oligarchy obtruded the principle of deceased generations—that Italy must remain the ruling land and Rome the ruling city in Italy—afresh on the present. Even in the lifetime of Gracchus the claims of the Italian allies had been decidedly rejected, and the great idea of transmarine colonisation had been subjected to a very serious attack, which became the immediate cause of Gracchus' fall. After his death the scheme of restoring Carthage was set aside with little difficulty by the government-party, although the several allotments already distributed there were left to the recipients. It is true that they could not prevent a similar settlement of the democratic party from succeeding at another point: in the course of the conquests beyond the Alps which Marcus Flaccus had begun, the colony of Narbo (Narbonne) was founded there in 63 B.C., the oldest transmarine burgess-city in the Roman empire, which, in spite of manifold attacks by the government-party and in spite of a proposal directly made by the senate to abolish it, permanently held its ground. But, apart from this—in its isolation not very important—exception, the government was uniformly successful in preventing the assignation of land out of Italy.

The Italian domain-question was settled in a similar spirit. The Italian colonies of Gaius, especially Capua, were cancelled, and such of them as had already been planted were again broken up; that of Tarentum alone was allowed to subsist in the form of the new town of Neptunia placed alongside of the former Greek community. So much of the domains as had already been distributed by non-colonial assignation remained in the hands of the recipients; the restrictions imposed on them by Gracchus in the interest of the commonwealth—the ground-rent and the prohibition of alienation—had already been abolished by Marcus Drusus. With reference on the other hand to the domains still possessed by right of occupation—which, over and above the domain-land enjoyed by the Latins, must have mostly consisted of the estates retained by their holders in accordance with the Gracchan maximum (p. 85)—it was resolved definitively to secure them to those who had hitherto been occupants and to preclude the possibility of future distribution. It was primarily from these lands, no doubt, that the 36,000 new farm-

allotments promised by Drusus were to have been formed; but they saved themselves the trouble of inquiring where those hundreds of thousands of *iugera* of Italian domain-land were to be found, and tacitly shelved the Livian colonial law, which had ~~found its purpose~~: the far from important colony of Scylacium

senate, the

fixed rent was imposed on the occupants of the ~~land~~ and, the proceeds of which went to the benefit of the populace of the capital—apparently by forming part of the fund for the dis-
~~charges~~ *providing* still further, including perhaps

free private property of the ~~land~~ *state*, that in future domain-land was not to be occupied at all, but was either to be leased or to lie open as public pasture; in the latter case provision was made by the fixing of a very low maximum of ten head of large and fifty head of small cattle, that the large herd-owner should not practically exclude the small. In these judicious regulations the injurious character of the occupation-system, which moreover was long ago given up (ii. 308), was at length officially recognised, but unhappily they were only adopted when it had already deprived the state in substance of its domainial possessions. While the Roman aristocracy thus ~~the~~ *land* was still in its ~~the~~ *at the same time* pacified ~~the~~ *on them the* property ~~the~~ *more espe-* cially ~~the~~ *by preserving* unimpaired ~~the~~ *to them by* their charters. The opposite party was in an unfortunate position, that in the most important material questions the interests of the Italians ran diametrically counter to those of the opposition in the capital; in fact the Italians entered into a species of league with the Roman government, and sought and found protection from the senate against the extravagant designs of various Roman demagogues.

¹ It is in great part still extant and known under the erroneous name, which has now been handed down for three hundred years, of the *Thorian* agrarian law.

While the restored government was thus careful thoroughly to eradicate the germs of improvement which existed in the Gracchan constitution, it remained completely powerless in presence of the hostile powers that had been, not for the general weal, aroused by Gracchus. The proletariat of the capital continued to have a recognised title to aliment; the senate likewise acquiesced in the selection of the jurymen from the mercantile order, repugnant though this yoke was to the better and prouder portion of the aristocracy. The fetters which the aristocracy wore did not beseem its dignity; but we do not find that it seriously set itself to get rid of them. The law of Marcus Aemilius Scaurus in $\frac{632}{132}$, which at least enforced the constitutional restrictions on the suffrage of freedmen, was for long the only attempt—and that a very tame one—on the part of the senatorial government once more to restrain their mob-tyrants. The proposal, which the consul Quintus Caepio seventeen years after the introduction of the equestrian tribunals ($\frac{648}{106}$) brought in for again entrusting the trials to senatorial jurymen, showed what the government wished; but showed also how little it could do, when the question was one not of squandering domains but of carrying a measure in the face of an influential order. It broke down.¹ The government was not emancipated from the inconvenient associates who shared its power; but these measures probably contributed still further to disturb the never sincere agreement of the ruling aristocracy with the merchant-class and the proletariat. Both were very well aware, that the senate granted all its concessions only from fear and with reluctance; permanently attached to the rule of the senate by considerations neither of gratitude nor of interest, both were very ready to render similar services to any other master who offered them more or even as much, and had no objection, if an opportunity occurred, to cheat or to thwart the senate. Thus the restoration continued to govern with the desires and opinions of a legitimate aristocracy, and with the constitution and means of government of a *tyrannis*. Its rule not only rested on the same bases as that of Gracchus, but it was equally and in fact still more deficient in strength; it was strong when in league with the populace it overthrew valuable institutions, but it was

¹ This is apparent, as is well known, from the further course of events. In opposition to this view stress has been laid on the fact that in Valerius Maximus, vi. 9, 13, Quintus Caepio is called patron of the senate; but on the one hand this does not prove enough, and on the other hand what is there narrated does not at all suit the consul of $\frac{648}{106}$, so that there must be an error either in the name or in the facts reported.

utterly powerless when it had to face the bands of the streets or the interests of the merchants. It sat on the vacated throne with an evil conscience and divided hopes, indignant at the institutions of the state which it ruled and yet incapable of even systematically assailing them, vacillating in all its conduct except where its own material advantage prompted a decision, a picture of faithlessness towards its own as well as the opposite party, of inward inconsistency, of the most pitiful impotence, of the meanest selfishness—an unsurpassed ideal of misrule.

It could not be otherwise, the whole nation was in a state of intellectual and moral decline, but especially the upper classes. The aristocracy before the period of the Gracchi was truly not over rich in talent, and the benches of the senate were crowded by a pack of cowardly and dissolute nobles, nevertheless there sat in it Scipio Aemilianus, Gaius Laelius, Quintus Metellus, Publius Crassus, Publius Scaevola, and numerous other respectable and able men and an observer favourably predisposed might be of opinion that the senate maintained a certain moderation in injustice and a certain decorum in misgovernment. This aristocracy had been overthrown and then restored, henceforth there rested on it the curse of restoration. While the aristocracy had formerly governed outright, and for more than a century without any sensible opposition, the crisis which it had now passed through revealed to it, like a flash of lightning in a dark night, the abyss which yawned before its feet. Was it any wonder that henceforward rancour always, and terror wherever they durst, characterised the government of the lords of the old nobility? that those who governed confronted as an united and compact party, with far more sternness and violence than hitherto, the non governing multitude? that family policy now prevailed once more, just as in the worst times of the patriciate so that e.g. the four sons and (probably) the two nephews of Quintus Metellus—with a single exception persons utterly insignificant and some of them called to office on account of their very simplicity—attained within fifteen years (112-106) all of them to the consulship, and all with one exception also to triumphs—to say nothing of sons in law and so forth? that the more violent and cruel the bearing of any of their partisans towards the opposite party, he received the more signal honour, and every outrage and every infamy were pardoned in the genuine aristocrat? that the rulers and the ruled resembled two parties at war in every respect, save in the fact that in their warfare no international law was recognised? It was unhappily

rapid succession among the highest circles of Rome, would alone suffice to indicate their character.

The administration, internal and external, was what was to the aristocracy had given the social ruin of Italy a small holders, and in its itself legal permission to - the allowed itself with growing frequency to drive the political, is

among the whole practical commentary on this state of things furnished by the servile insurrections, which during the first years of the Cimbrian war broke out annually in Italy, e.g. at Nuceria, at Capua, and in the territory of Thurii. This last conspiracy was so important that the urban praetor had to march with a legion against it and yet overcame the insurrection force of arms, but only by insidious treachery. It was that the insurrection was

of the government was of slaves in Italy are shown by the measures respecting the gold-washings of Victumulae, which were carried on after 143 on account of the Roman government: the lessees first bound not to employ more than 5000 labourers, and is the present there was is very possible, a Trans-

every reason in fact for - should penetrate into Italy and summon the slaves, in comparison. We shall

and Asia, if we endeavour - the East Indies - Roman - the aristocracy of that day. The legislation, which - the mercantile class with control over the magistrates, compelled the latter to make common cause to a certain extent with the former, and to purchase for themselves unlimited liberty of plundering and protection from impeachment by unconditional indulgence towards the capitalists in the provinces. In addition

to these official and semi-official robbers, freebooters and pirates pillaged all the countries of the Mediterranean. In the Asiatic waters more especially the buccaneers carried their outrages so far that even the Roman government found itself under the necessity in $\frac{65}{102}$ of despatching to Cilicia a fleet, mainly composed of the vessels of the dependent mercantile cities, under the praetor Marcus Antonius, who was invested with proconsular powers. This fleet captured a number of corsair-vessels and destroyed some strongholds; and not only so, but the Romans even settled themselves permanently there, and in order to the suppression of piracy in its chief seat, the rugged or western Cilicia, occupied strong military positions—the first step towards the establishment of the province of Cilicia, which thenceforth appears among the Roman provinces.¹ The design was commendable, and the scheme in itself was well devised; but the continuance and the increase of the evil of piracy in the Asiatic waters, and especially in Cilicia, unhappily showed the inadequacy of the means with which the pirates were assailed from the newly acquired position.

But nowhere did the impotence and perversity of the Roman provincial administration come to light in so naked colours as in the insurrections of the slave proletariat, which seemed to have revived on their former footing simultaneously with the restoration of the aristocracy. These insurrections of the slaves swelling from revolts into wars—which had emerged just about $\frac{620}{134}$

¹ It is assumed in many quarters that the establishment of the province of Cilicia only took place after the Cilician expedition of Publius Servilius in $\frac{676}{78}$ *et seq.*, but erroneously; for as early as $\frac{662}{92}$ we find Sulla (Appian, *Mithr.* 57; *B.C.* i. 77; Victor, 75), and in $\frac{674}{80}$, $\frac{675}{79}$, Gnaeus Dolabella (*Cic. Verr.* i. 1, 16, 44) as governors of Cilicia—which leaves no alternative but to place the establishment of the province in $\frac{652}{102}$. This view is further supported by the fact that at this time the expeditions of the Romans against the corsairs—e.g. the Balearic, Ligurian, and Dalmatian expeditions—appear to have been ordinarily directed to the occupation of the points of the coast whence piracy issued; and this was natural, for, as the Romans had no standing fleet, the only means of effectually checking piracy was the occupation of the coasts. It is to be remembered, moreover, that the idea of a *provincia* did not absolutely involve possession of the country, but in itself implied no more than an independent military command; it is very possible, that the Romans in the first instance occupied nothing in this rugged country save stations for their vessels and troops.

The plain of eastern Cilicia remained down to the war against Tigranes attached to the Syrian empire (Appian, *Syr.* 48); the districts to the north of the Taurus formerly reckoned as belonging to Cilicia—Cappadocian Cilicia, as it was called, and Cataonia—belonged to Cappadocia, the former from the time of the breaking up of the kingdom of Attalus (Justin, xxxvii. 1; see above, p. 53), the latter probably even from the time of the peace with Antiochus.

as one, and that perhaps the proximate, cause of the Gracchan revolution—were renewed and repeated with dreary uniformity. Again, as thirty years before, a ferment pervaded the body of slaves throughout the Roman empire. We have already mentioned the Italian conspiracies. The miners in the Attic silver-mines rose in revolt, occupied the promontory of Sunium, and issuing thence pillaged for a length of time the surrounding country. Similar movements appeared at other places. But the chief seat of these fearful commotions was once more Sicily with its plantations and its hordes of slaves brought thither from Asia Minor. It is significant of the greatness of the evil, that an attempt of the government to check the worst iniquities of the slaveholders was the immediate cause of the new insurrection. That the free proletarians in Sicily were little better than the slaves, had been shown by their attitude in the first insurrection (p. 77); after it was subdued, the Roman speculators took their

sit in Syracuse. The court went earnestly to work; in a short time decision was given in eight hundred processes against the slave-owners, and the number of causes in dependence was daily on the increase. The terrified planters hastened to Syracuse, to compel the Roman governor to suspend such unparalleled administration of justice; Nerva was weak enough to let himself be terrified, and in harsh language informed the non-free persons requesting trial that they should forego their troublesome demand for right and justice and should instantly return to those who called themselves their masters. Those who were thus dismissed, instead of doing as he bade them, formed a conspiracy and went to the mountains. The governor was not prepared for military measures, and even the wretched militia of the island was not immediately at hand; so that he concluded an alliance with one of the best known captains of banditti in the island, and induced him by the promise of personal pardon to betray the revolted slaves into the hands of the Romans. He thus gained the mastery over this band. But another band of runaway slaves succeeded in defeating a division of the garrison of Enna (Castrogiovanni); and this first success procured for the insurgents what they especially needed—arms and

number of the insurgents soon swelled to many thousands. These Syrians in a foreign land already, like their predecessors, seemed to themselves not unworthy to be governed by kings, as were their countrymen at home; and—parodying the trumpery king of their native land down to the very name—they placed the slave Salvius at their head as king Tryphon. In the district between Enna and Leontini (Lentini) where these bands had their head-quarters, the open country was wholly in the hands of the insurgents and Morgantia and other walled towns were already besieged by them, when the Roman governor with his hastily collected Sicilian and Italian troops fell upon the slave-army in front of Morgantia. He occupied the undefended camp; but the slaves, although surprised, made a stand. In the combat that ensued the levy of the island not only gave way at the first onset, but, as the slaves allowed every one who threw down his arms to escape unhindered, the militia almost without exception embraced the good opportunity of taking their departure, and the Roman army completely dispersed. Had the slaves in Morgantia been willing to make common cause with their comrades before the gates, the town was lost; but they preferred to accept the gift of freedom in legal form from their masters, and by their valour helped them to save the town—whereupon the Roman governor declared the promise of liberty solemnly given to the slaves by the masters to be void in law, as having been illegally extorted.

While the revolt thus spread after an alarming manner in the interior of the island, a second broke out on the west coast. It was headed by Athenion. He had formerly been, just like Cleon, a dreaded captain of banditti in his native country of Cilicia, and had been carried thence as a slave to Sicily. He secured, just as his predecessors had done, the adherence of the Greeks and Syrians especially by prophecies and other edifying impostures. Skilled however in war and sagacious as he was, he did not, like the other leaders, arm the whole mass that flocked to him, but formed out of the men able for warfare an organised army, while he assigned the remainder to peaceful employment. In consequence of his strict discipline, which repressed all vacillation and all insubordinate movement in his troops, and his gentle treatment of the peaceful inhabitants of the country and even of the captives, he gained rapid and great successes. The Romans were on this occasion disappointed in the hope that the two leaders would fall out; Athenion voluntarily submitted to the far less capable king Tryphon, and thus preserved unity among

the insurgents. These soon ruled with virtually absolute power over the flat country, where the free proletarians again took part more or less openly with the slaves, the Roman authorities were not in a position to take the field against them, and had to rest content with protecting the towns, which were in the most lamentable plight, by means of the militia of Sicily and that of Africa brought over in all haste. The administration of justice was suspended over the whole island, and force was the only law. As no cultivator living in town ventured any longer beyond the gates, and no countryman ventured into the towns, the most fearful famine set in, and the town population of this island which formerly fed Italy had to be supported by the Roman authorities sending supplies of grain. Moreover, conspiracies of the town slaves everywhere threatened to break out within, while the insurgent armies lay before, the walls, even Messina was within a hair's breadth of being conquered by Athenion.

Difficult as it was for the government during the serious war with the Cimbri to place a second army in the field, it could not avoid sending in $\frac{66\frac{1}{3}}{100}$ an army of 14,000 Romans and Italians, not including the transmarine militia, under the praetor Lucius Lucullus to the island. The united slave army was stationed in the mountains above Sciacca, and accepted the battle which Lucullus offered. The better military organisation of the Romans gave them the victory, Athenion was left for dead on the field, Tryphon had to throw himself into the mountain fortress of Triocala, the insurgents deliberated earnestly whether it was possible to continue the struggle longer. But the party which was resolved to hold out to the last man, retained the ascendancy, Athenion, who had been saved in a marvellous manner, reappeared among his troops and revived their sunken courage, above all, Lucullus with incredible negligence took not the smallest step to follow up his victory, in fact, he is said to have intentionally disorganised the army and to have burned his field baggage, with a view to screen the total inefficacy of his administration and not to be cast into the shade by his successor. Whether this was true or not, his successor Gaius Servilius (53?) obtained no better results, and both generals were afterwards criminally indicted and condemned for their conduct in office—which, however, was not at all a certain proof of their guilt.

year distinguished himself under Marius in the war with the Teutones, was as consul and governor entrusted with the conduct of the war. After two years of hard conflicts—Aquillius is said to have fought in person with Athenion, and to have killed him in single combat—the Roman general at length put down the desperate resistance, and vanquished the insurgents in their last retreats by famine. The slaves on the island were prohibited from bearing arms and peace was again restored to it, or, in other words, its recent scourges were relieved by its former tormentors; in fact, the victor himself occupied a prominent place among the numerous and energetic robber-magistrates of this period. Any one who still required a proof of the internal quality of the government of the restored aristocracy might be referred to the origin and to the conduct of this second Sicilian slave-war, which lasted for five years.

But wherever the eye turned throughout the wide sphere of Roman administration, the same causes and the same effects appeared. If the Sicilian slave-war showed how far the government was from being equal to even its simplest task of keeping in check the proletariat, contemporary events in Africa displayed the skill with which the Romans now governed the dependent states. About the very time when the Sicilian slave-war broke out, there was exhibited before the eyes of the astonished world the spectacle of an unimportant client-prince able to carry out a fourteen years' usurpation and insurrection against the mighty republic which had shattered the kingdoms of Macedonia and Asia with one blow of its weighty arm—and that not by means of arms, but through the pitiful character of its rulers.

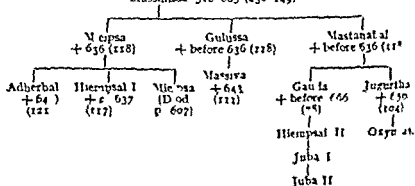
The kingdom of Numidia stretched from the river Molochath to the great Syrtis (ii. 192), bordering on the one side with the Mauretanian kingdom of Tingis (the modern Morocco) and on the other with Cyrene and Egypt, and surrounding on the west, south, and east the narrow district of coast which formed the Roman province of Africa. In addition to the old possessions of the Numidian chiefs, it embraced by far the greater portion of the territory which Carthage had possessed in Africa during the times of its prosperity—including several important Old-Phoenician cities, such as Hippo Regius (Bona) and Great Leptis (Lebidah)—altogether the largest and best part of the rich seaboard of Northern Africa. Numidia was beyond question, next to Egypt, the most considerable of all the Roman client-states. After the death of Massinissa ($\frac{60.5}{149}$), Scipio had divided

the sovereign functions of that prince among his three sons, the kings Micipsa, Gulussa, and Mastanabal, in such a way that the firstborn obtained the residency and the state-chest, the second the charge of war, and the third the administration of justice (p. 31). Now after the death of his two brothers Massinissa's eldest son, Micipsa,¹ reigned alone, a feeble peaceful old man who occupied himself more with the study of Greek philosophy than with affairs of state. As his sons were not yet grown up the reins of government were practically held by an illegitimate nephew of the king, the prince Jugurtha. Jugurtha was an unworthy grandson of Massinissa. He was a handsome man and a skilled and courageous rider and hunter, his countrymen held him in high honour as a clear and sagacious administrator, and he had displayed his military ability as leader of the Numidian contingent before Numantia under the eyes of Scipio. His position in the kingdom, and the influence which he possessed with the Roman government by means of his numerous friends and war-comrades, made it appear to king Micipsa advisable to adopt him (§ 14) and to arrange in his testament that his own two elder sons Adherbal and Hiempsal, and his adopted son Jugurtha along with them, should inherit and govern the kingdom, just as he himself had done in conjunction with his two brothers. For greater security this arrangement was placed under the guarantee of the Roman government.

Soon afterwards, in § 16, king Micipsa died. The testament came into force but the two sons of Micipsa—the vehement Hiempsal still more than his weak elder brother—soon came into so violent collision with their cousin whom they looked on as an intruder into the legitimate line of succession, that the idea of a

¹ The following table exhibits the genealogy of the Numidian princes—

Massinissa 516-605 (238-149)



joint reign of the three kings had to be abandoned. An attempt was made to carry out a division of the heritage; but the quarrelling kings could not agree as to their quotas of land and treasure, and the protecting power, to which the duty of decision by right belonged, gave itself, as usual, no concern about these affairs. A rapture took place; Adherbal and Hiempsal were disposed to characterise their father's testament as surreptitious, and altogether to dispute Jugurtha's right of joint inheritance, while on the other hand Jugurtha came forward as a pretender to the whole kingdom. While the discussions as to the partition were still going on, Hiempsal was made away with by hired assassins; then a civil war arose between Adherbal and Jugurtha, in which all Numidia took part. With his less numerous but better disciplined and better led troops, Jugurtha conquered and seized the whole territory of the kingdom, subjecting the chiefs who adhered to his cousin to the most cruel persecution. Adherbal escaped to the Roman province and proceeded to Rome to make his complaint there. Jugurtha had expected this, and had made his arrangements to meet the threatened intervention. In the camp before Numantia he had learned more from Rome than a lesson in tactics; the Numidian prince, introduced to the circles of the Roman aristocracy, had at the same time been initiated into the intrigues of Roman coteries, and had studied at the fountain-head what might be expected from Roman nobles. Even then, sixteen years before Micipsa's death, he had entered into disloyal negotiations as to the Numidian succession with Roman comrades of rank, and Scipio had been under the necessity of gravely reminding him that it was becoming in foreign princes to be on terms of friendship with the Roman state rather than with individual Roman citizens. The envoys of Jugurtha appeared in Rome, furnished with something more than words: that they had chosen the right means of diplomatic persuasion, was shown by the result. The most zealous champions of Adherbal's just title were with incredible rapidity convinced that Hiempsal had been put to death by his subjects on account of his cruelty, and that the author of the war as to the succession was not Jugurtha, but Adherbal. Even the leading men in the senate were shocked at the scandal; Marcus Scaurus sought to check it, but in vain. The senate passed over what had taken place in silence, and ordained that the two surviving testamentary heirs should have the kingdom equally divided between them; and that, for the prevention of fresh quarrels, the division should be undertaken by a commission

of the senate. This was done: the consular Lucius Opimius, well known through his services in setting aside the revolution, had embraced the opportunity of gathering the reward of his patriotism, and had got himself placed at the head of the com-
 mission. The division turned

Adherbal, but by arrangement the portion which fell to him was the eastern part of the kingdom consisting almost wholly of sandy deserts, while Jugurtha obtained the fertile and populous western half (what was afterwards Mauretania Caesariensis and Sitifensis).

This was bad; but matters soon became worse. In order to be able under the semblance of self-defence to defraud Adherbal of his portion, Jugurtha provoked him to war; but when the

self with lounging ceremony, began the war even without pre-
 totally defeated in the region of the modern Philippeville, and threw himself into his capital of Cirta in the immediate vicinity. While the siege was in progress, and Jugurtha's troops were daily skirmishing with the numerous Italians who were settled in Cirta and who took a more vigorous part in the defence of the city than the Africans themselves, the commission despatched by the Roman senate on Adherbal's first complaint made its appearance; composed, of course, of young inexperienced men, s the government of those times regularly employed in t The envoys demanded that

suspend hostilities and should summarily rejected both demands, and the lastly returned home—like boys, as they were—to report to the fathers of the city. The fathers listened to the report, and allowed their countrymen in Cirta just to fight on as long as they pleased. It was not till, in the fifth month of the siege, a messenger of Adherbal stole through the entrenchments of the enemy and a letter of the king full of the most urgent entreaties reached the senate, that the latter roused itself and actually resolved—not to declare war as the minority demanded, but to send a new embassy—an embassy, however, headed by Marcus Scaurus, the great conqueror of the Taurisci and the freedmen, the imposing hero

of the aristocracy, whose mere appearance would suffice to bring the refractory king to a different mind. In fact Jugurtha appeared, as he was bidden, at Utica to discuss the matter with Scaurus; endless debates were held; when at length the conference was concluded, not the slightest result had been obtained. The embassy returned to Rome without having declared war, and the king went back again to the siege of Cirta. Adherbal found himself reduced to extremities and despaired of Roman support; the Italians in Cirta moreover, weary of the siege and firmly relying for their own safety on the terror of the Roman name, urged a surrender. So the town capitulated. Jugurtha ordered his adopted brother to be executed amid cruel tortures, and all the adult male population of the town, Africans as well as Italians, to be put to the sword (⁶⁴²₁₁₂₋₁₁₁).

A cry of indignation rose throughout Italy. The minority in the senate itself and every one out of the senate unanimously condemned the government, with whom the honour and interest of the country seemed mere commodities for sale; loudest of all was the condemning voice of the mercantile class, which was most directly affected by the sacrifice of the Roman and Italian merchants at Cirta. It is true that the majority of the senate still struggled; they appealed to the class-interests of the aristocracy, and set in motion all their contrivances of obstruction and delay, with a view to preserve still longer the peace which they loved. But when Gaius Memmius, designated as tribune of the people for next year, an active and eloquent man, brought the matter publicly forward and threatened in his capacity of tribune to call the worst offenders to judicial account, the senate permitted war to be declared against Jugurtha (⁶⁴²⁻⁶⁴³₁₁₂₋₁₁₁). The step seemed taken in earnest. The envoys of Jugurtha were dismissed from Italy without being admitted to an audience; the new consul Lucius Calpurnius Bestia, who was distinguished, among the members of his order at least, by judgment and activity, prosecuted the warlike preparations with energy; Marcus Scaurus himself took the post of a commander in the African army. In a short time a Roman army was on African ground, and marching upward along the Bagradas (Mejerdah) advanced into the Numidian kingdom, where the towns most remote from the seat of the royal power, such as Great Leptis, voluntarily sent in their submission, while Bocchus king of Mauretania, although his daughter was married to Jugurtha, offered friendship and alliance to the Romans. Jugurtha himself lost courage, and sent envoys to the Roman

head-quarters to request an armistice. The end of the contest seemed near, and came still more rapidly than was expected. The treaty with Bocchus broke down, because the king, unacquainted with Roman customs, had conceived that he should be able to conclude a treaty so advantageous for the Romans without any gratuity, and therefore had neglected to furnish his envoys with the usual market price of Roman alliances. Jugurtha at all events knew Roman institutions better, and had not omitted to support his proposals for an armistice by a due accompaniment of money; but he too was deceived. After

the transaction was soon settled. The treaty was concluded, after it had been for the sake of form submitted to a council of war, whose consent was procured after an irregular and extremely summary discussion. Jugurtha submitted at discretion; but the victor was merciful and gave him back his kingdom undiminished, in consideration of his paying a moderate fine and war elephants (417); afterwards repurchased in commandants and officers.

On the news of this peace the storm once more broke forth in Rome. Everybody knew how the peace had been brought about; even Scaurus was evidently open to bribery, only at a price higher than the ordinary senatorial average. The legal of the peace was seriously assailed in the senate; Gaius Memmius declared that the king, if he had really submitted un- irregular negotiations for peace by hearing the two contracting parties. They yielded to the inconvenient demands: but at the same time granted a safe-conduct to the king inconsistent with the law, for he came not as an enemy, but as one who had made his submission. Thereupon the king actually appeared at Rome and presented himself to be heard before the assembled people, which was with difficulty induced to respect the safe conduct and to refrain from tearing in pieces on the spot the murderer of the Italians at Cirra. But scarcely had Gaius Memmius addressed his first question to the king, when one of his colleagues interfered in virtue of his veto and enjoined th

king to be silent. Here too African gold was more powerful than the will of the sovereign people and of its supreme magistrates. Meanwhile the discussions respecting the validity of the peace so concluded went on in the senate, and the new consul Spurius Postumius Albinus zealously supported the proposal to cancel it, in the expectation that in that case the chief command in Africa would devolve on him. This induced Massiva, a grandson of Massinissa living in Rome, to assert before the senate his claims to the vacant Numidian kingdom; upon which Bomilcar, one of the confidants of king Jugurtha, doubtless under his instructions, made away with the rival of his master by assassination, and, when he was prosecuted on account of it, escaped with Jugurtha's aid from Rome.

This new outrage perpetrated under the eyes of the Roman government was at least so far effectual, that the senate now cancelled the peace and dismissed the king from the city (winter of 513=511). The war was accordingly resumed, and the consul Spurius Albinus was invested with the command (511). But the African army down to its lowest ranks was in a state of disorganisation corresponding to such a political and military superintendence. Not only had discipline ceased and the spoliation of Numidian townships and even of the Roman provincial territory become during the suspension of hostilities the chief business of the Roman soldiery, but not a few officers and soldiers had as well as their generals entered into secret understanding with the enemy. It is easy to see that such an army could do nothing in the field; and if Jugurtha on this occasion bribed the Roman general into inaction, as was afterwards judicially asserted against the latter, he did in truth what was superfluous. Spurius Albinus therefore contented himself with doing nothing. On the other hand his brother who after his departure assumed the interim command—the equally foolhardy and incapable Aulus Postumius—in the middle of winter fell on the idea of seizing by a bold *coup de main* the treasures of the king, which were kept in the town of Suthul (afterwards Calama, now Guelma) difficult of access and still more difficult of conquest. The army set out thither and reached the town; but the siege was unsuccessful and without prospect of result, and, when the king who had remained for a time with his troops in front of the town went into the desert, the Roman general preferred to pursue him. This was precisely what Jugurtha intended; in a nocturnal assault, which was favoured by the difficulties of the ground and the secret understanding which

Jugurtha had with some in the Roman army, the Numidians captured the Roman camp, and drove the Romans, many of whom were unarmed, before them in the most complete and disgraceful rout. The consequence was a capitulation, the terms of which—the marching off of the Roman army, under the yoke, the immediate evacuation of the whole Numidian territory, and the renewal of the treaty cancelled by the senate—were dictated by Jugurtha and accepted by the Romans (in the beginning of 106).

This was too much to be borne. While the Africans were exulting and the prospect—thus suddenly opened up—of such an overthrow of the alien domination as had been reckoned scarcely possible was bringing numerous tribes of the free and

Italy was vehemently aroused
ernicious governing aristocracy,
ecutions which, fostered by the

... pt away a succession of
nobility. On the pro-
posals of the tribune of the people Gaius Mamilianus, in
... of the timid attempts of the senate to avert the threatened

sent ...

Spurius Albinus as well as Lucius ...
African commission and the executioner withal of Gaius ...
along with numerous other less notable men of the government
party, guilty and innocent, into exile. That these prosecutions,
however, were only intended to appease the excitement of public
opinion, in the capitalist circles more especially, by the sacrifice
of some of the persons chiefly compromised, and that there was
in them not the slightest trace of a revolt against the aristocracy
or aristocratic government in itself, is shown very clearly by the
fact that no one ventured to attack the guiltiest of the guilty,
the prudent and powerful Scaurus; on the contrary he was
about this very time elected censor and also, incredible as it
may seem, chosen as one of the presidents of the extraordinary
commission of treason. Still less was any attempt even made
to interfere with the functions of the government, and it was
left solely to the senate to put an end to the Numidian scandal
in a manner as gentle as possible for the aristocracy; for that it

was time to do so, even the most aristocratic aristocrat probably began to perceive.

The senate in the first place cancelled the second treaty of peace—to surrender to the enemy the commander who had concluded it, as was done some thirty years before, seemed according to the new ideas of the sanctity of treaties no longer necessary—and determined, this time in all earnest, to renew the war. The supreme command in Africa was entrusted, as was natural, to an aristocrat, but yet to one of the few men of quality who in a military and moral point of view were equal to the task. The choice fell on Quintus Metellus. He was, like the whole powerful family to which he belonged, in principle a rigid and unscrupulous aristocrat; as a magistrate, he, no doubt, reckoned it honourable to hire assassins for the good of the state and would probably have ridiculed the act of Fabricius towards Pyrrhus as romantic knight errantry, but he was an inflexible administrator accessible neither to fear nor to corruption, and a judicious and experienced warrior. In this respect he was so far free from the prejudices of his order that he selected as his lieutenants not men of rank, but the excellent officer Publius Rutilius Rufus, who was esteemed in military circles for his exemplary discipline and as the author of an altered and improved system of drill, and the brave Latin farmer's son Gaius Marius, who had risen from the pike. Attended by these and other able officers, Metellus presented himself in the course of $\frac{645}{108}$ as consul and commander-in-chief to the African army, which he found in such disorder that the generals had not hitherto ventured to lead it into the enemy's territory, and it was formidable to none save the unhappy inhabitants of the Roman province. It was sternly and speedily reorganised, and in the spring of $\frac{646}{108}$ Metellus led it over the Numidian frontier.

¹ In the fascinating and clever description of this war by Sallust the chronology has been unduly neglected. The war terminated in the summer of $\frac{649}{108}$ (c. 114); if therefore Marius began his management of the war as consul in $\frac{647}{107}$, he held the command there in three campaigns. But the narrative describes only two, and does so rightly. To all appearance Metellus went to Africa as early as $\frac{645}{108}$, but, as he arrived late (c. 37, 44), and the reorganisation of the army cost time (c. 44), he only began his operations in the following year; and in like manner Marius, who was likewise detained for a considerable time in Italy by his military preparations (c. 84), entered on the chief command either as consul in $\frac{647}{107}$ late in the season, and after the close of the campaign, or only as proconsul in $\frac{648}{108}$; so that the two campaigns of Metellus thus fall in $\frac{646}{108}$, $\frac{647}{107}$, and those of Marius in $\frac{648}{108}$, $\frac{649}{108}$. With this view the circumstance also very well accords, that the battle at the Muthul and the siege of Zama must, from

When Jugurtha perceived the altered state of things, he gave up all hope and before the struggle began, made earnest proposals, offering to give up all his arms, and to do nothing but what the Romans should require. He was, however, as we have seen, a man of a very different character from what he appeared. He was a man of war, and he was determined to fight for the sake of the throne of the Numidians, and for the sake of his family, that could satisfy the Romans. Jugurtha was regarded as the deliverer of Libya from the rule of the hated foreigners; unscrupulous and cunning as he was, and as a man of a very different character from what he appeared, he might at any time have been a very different man.

Officially Metellus gave no answer to the proposals of the king; secretly he instigated the envoys to deliver their master dead or alive to the Romans. But, when the Roman general undertook to compete with the African in the field of assassination, he there met his master; Jugurtha saw through the scheme, and, when he could not do otherwise, prepared for a desperate resistance.

Beyond the utterly barren mountain-range, over which lay the route of the Romans into the interior, a plain of eighteen miles in breadth extended as far as the river Muthul, which ran parallel to the mountain-chain. The plain was destitute of water and of trees except in the immediate vicinity of the river, and was only intersected by a ridge of hills covered with low brush. On this ridge of hills Jugurtha awaited the Roman army. His troops were arranged in two masses; the one, including a part of the infantry and the elephants, under Bomilcar, the relation in which they stand to Marius' candidature for the consulship, be necessarily placed in 44 B.C. In no case can the author be pronounced free from inaccuracies, Marius, for instance, is even spoken of by him as consul in 44 B.C.

The question would be easily settled, if the senate had prolonged the command of Metellus and that prolongation had delayed Marius' departure; but the campaign of 44 B.C. for which Marius could not be considered as having been the cause of the war.

But that is not the case. It is impossible, for the decree of the people, and Sallust nowhere says that Marius voluntarily yielded so far, but rather the contrary. At the effective passage referred to there stood probably something quite different—perhaps [et (Marius) ut Gallia provincia ei] ad, paucis (and senatus) decretum: *et res frustra fuit.*

at the point where the ridge abutted on the river, the other, embracing the flower of the infantry and all the cavalry, higher up towards the mountain-chain, concealed by the bushes. On debouching from the mountains, the Romans saw the enemy in a position completely commanding their right flank; and, as they could not possibly remain on the bare and arid crest of the chain and were under the necessity of reaching the river, they had to solve the difficult problem of gaining the stream through the entirely open plain of eighteen miles in breadth, under the eyes of the enemy's horsemen and without light cavalry of their own. Metellus despatched a detachment under Rufus straight towards the river, to pitch a camp there; the main body marched from the defiles of the mountain-chain in an oblique direction through the plain towards the ridge of hills, with a view to dislodge the enemy from the latter. But this march in the plain threatened to become the destruction of the army; for, while Numidian infantry occupied the mountain defiles in the rear of the Romans as the latter evacuated them, the Roman attacking column found itself assailed on all sides by swarms of the enemy's horse, who charged down on it from the ridge. The constant onset of the hostile swarms hindered the advance, and the battle threatened to resolve itself into a number of confused and detached conflicts; while at the same time Bomilcar with his division detained the corps under Rufus, to prevent it from hastening to the help of the hard-pressed main army. Nevertheless Metellus and Marius with a couple of thousand soldiers succeeded in reaching the foot of the ridge; and the Numidian infantry which defended the heights, in spite of their superior numbers and favourable position, fled almost without resistance when the legionaries charged at a rapid pace up the hill. The Numidian infantry held its ground equally ill against Rufus; it was scattered at the first charge, and the elephants were all killed or captured on the broken ground. Late in the evening the two Roman divisions, each victorious on its own part and each anxious as to the fate of the other, met between the two fields of battle. It was a battle attesting alike the uncommon military talent of Jugurtha and the indestructible solidity of the Roman infantry, which alone had converted their strategical defeat into a victory. Jugurtha sent home a great part of his troops after the battle, and restricted himself to a guerilla warfare, which he likewise managed with skill.

The two Roman columns, the one led by Metellus, the other by Marius—who, although by birth and rank the humblest,

occupied since the battle on the Muthul the first place among the chiefs of the staff—traversed the Numidian territory, occupied the towns, and, when any place did not readily open its gates, put to death the adult male population. But the most considerable of the towns in the valley of the Bagradas, Zama, opposed to the Romans a serious resistance which the king energetically supported. He was even successful in surprising the Roman camp; and the Romans found themselves at last compelled to abandon the siege and to go into winter quarters. For the sake of more easily provisioning his army Metellus, leaving behind garrisons in the conquered towns, transferred it into the Roman province, and employed the opportunity of suspended hostilities to institute fresh negotiations, showing a disposition to grant to the king a peace on tolerable terms. Jugurtha readily entered into them; he had at once bound himself to pay 200,000 pounds of silver, and had even delivered up his elephants and 300 hostages, as well as 3000 Roman deserters who were immediately put to death. At

..... official councillor,
.....

of Massiva to the Roman courts—was gained by Metellus and induced, in consideration of an assurance of impunity as respected that murder and of great rewards, to promise that he would deliver the king alive or dead into the hands of the Romans. But neither that official negotiation nor this intrigue led to the desired result. When Metellus brought forward the suggestion that the king should give himself up in person as a prisoner, the latter broke off the negotiations; Bomilcar's intercourse with the enemy was discovered, and he was arrested and executed. These diplomatic cabals of the meanest kind admit of no apology; but the Romans had every reason to aim at the possession of the person of their antagonist. The war had reached a point at which it could neither be continued nor terminated. The state of feeling in Numidia

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..... in of
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—whether rightly or wrongly, we cannot tell—condemned to death by a Roman court-martial and executed for having an understanding with the enemy. The town was surprised by

¹ Or Væta, now Beja on the Mejerda.

Metellus on the second day after its revolt, and given over to all the rigour of martial law; but if such was the temper of the easily reached and comparatively submissive dwellers on the banks of the Bagradas, what might be expected farther inland and among the roving tribes of the desert? Jugurtha was the idol of the Africans, who readily overlooked the double fratricide in the liberator and avenger of their nation. Twenty years afterwards a Numidian corps which was fighting in Italy for the Romans had to be sent back in all haste to Africa, when the son of Jugurtha appeared in the enemy's ranks; we may infer from this, how great was the influence which he himself exercised over his people. What prospect was there of a termination of the struggle in regions where the combined peculiarities of the population and of the soil allowed a leader who had once secured the sympathies of the nation to protract the war in endless guerilla conflicts, or even to let it sleep for a time in order to revive it at the right moment with renewed vigour?

When Metellus again took the field in 107, Jugurtha nowhere held his ground against him; he appeared now at one point, now at another far distant; it seemed as if they would as easily get the better of the lions as of these horsemen of the desert. A battle was fought, a victory was won; but it was difficult to say what had been gained by the victory. The king had vanished out of sight in the distance. In the interior of the modern beylik of Tunis, close on the edge of the great desert and separated from the valley of the Mejerdah by an arid and treeless steppe of forty-five miles in breadth, there were situated amidst oases provided with springs two strong places, Thala to the north (afterwards Thelepte, near Husch-el-Cheme), and Capsa (Kafsa) farther south; Jugurtha had retired to the former town with his children, his treasures, and the flower of his troops, there to await better times. Metellus ventured to follow the king through a desert, in which his troops had to carry water along with them in skins; Thala was reached and fell after a forty days' siege; but the Roman deserters destroyed the most valuable part of the booty along with the building in which they burnt themselves after the capture of the town, and—what was of more consequence—king Jugurtha escaped with his children and his chest. Numidia was no doubt virtually in the hands of the Romans; but, instead of their object being thereby gained, the war seemed only to extend over a field wider and wider. In the south the free Gaetulian tribes of the desert began at the call of Jugurtha a national war against the

Romans In the west Bocchus king of Mauretania, whose friendship the Romans had in earlier times despised, seemed now not indisposed to make common cause with his son in law against them, he not only received him at his court, but, uniting to Jugurtha's followers his own numberless swarms of horsemen, he marched into the region of Cirta, where Metellus was in winter quarters. They began to negotiate—it was clear that in the person of Jugurtha he held in his hands the real prize of the struggle for Rome. But what were his intentions—whether to sell his son in law dear to the Romans, or to take up the national war in concert with that son in law—neither the Romans nor Jugurtha nor perhaps even the king himself knew, and he was in no hurry to abandon his ambiguous position.

Thereupon Metellus left the province, which he had been compelled by decree of the people to give up to his former lieutenant Marius who was now consul, and the latter assumed the supreme command for the next campaign in 111. He was indebted for it in some degree to a revolution. Relying on the services which he had rendered and at the same time on oracles which had been communicated to him, he had resolved to come forward as a candidate for the consulship. If the aristocracy had supported the constitutional, and in other respects quite justifiable, candidature of this able man, who was not at all inclined to take part with the opposition, nothing would have come of the matter but the enrolment of a new family in the consular Fasti. Instead of this the man of non noble birth, who aspired to the highest public dignity, was reviled by the whole governing caste as a daring innovator and revolutionist, just as the plebeian candidate had been formerly treated by the patricians, but now without any formal ground in law. The brave officer was sneered at in sharp language by Metellus—Marius was told that he might wait with his candidature till Metellus's son, a beardless boy, could be his colleague—and he was with the worst grace suffered to leave almost at the last moment, that he might appear in the capital as a candidate for the consulship of 110. There he amply retaliated on his general the wrong which he had suffered, by criticising before the gaping multitude the conduct of the war and the administration of Metellus in Africa in a manner as unmilitary as it was disgracefully unjust, and he did not even disdain to serve up to the darling populace—always whispering about secret conspiracies equally unprecedented and indubitable on the part of their noble masters—the silly story, that Metellus was despoiled

... in the neighbourhood of Rome. The Roman
 ... Molochath, found
 ... one evening ... immense masses of
 ... they were obliged to fight
 ... in a proper order of
 battle or following any ... and had to deem
 themselves fortunate when their sadly-thinned troops were
 brought into temporary safety for the night on two hills not far
 remote from each other. But the culpable negligence of the
 Africans intoxicated with victory wrested from them its con-
 sequences; they allowed themselves to be surprised in a deep
 sleep during the morning twilight by the Roman troops which
 ... during the night, and
 ... an army con-
 ... caution; but
 it was ... the four sides
 and was in great danger, till the ... Lucius Cornelius
 Sulla first dispersed the squadrons opposed to him and then,
 rapidly returning from their pursuit, threw himself also on
 Jugurtha and Bocchus at the point where they in person pressed
 hard on the rear of the Roman infantry. Thus this attack also
 was successfully repelled; Marius brought his army back to
 Cirta, and took up his winter quarters there (103-102).

Strange as it may seem, we can yet understand why the
 Romans now, after king Bocchus had commenced the war,
 began to make most zealous exertions to secure his friendship,
 which they had at first slighted and thereafter had at least not
 specially sought; by doing so they gained this advantage, that
 no formal declaration of war took place on the part of Maure-
 tania. King Bocchus was not unwilling to return to his old
 ambiguous position: without dissolving his agreement with
 Jugurtha or dismissing him, he entered into negotiations with
 the Roman general respecting the terms of an alliance with
 Rome. When they were agreed or seemed to be so, the king
 requested that, for the purpose of concluding the treaty and
 receiving the royal captive, Marius would send to him Lucius
 Sulla, who was known and acceptable to the king partly from
 his having formerly appeared as envoy of the senate at the
 Mauretanian court, partly from the commendations of the
 Mauretanian envoys destined for Rome to whom Sulla had
 rendered services on their way. Marius was in an awkward
 position. His declining the suggestion would probably lead to
 a breach; his accepting it would throw his most aristocratic and

bravest officer into the hands of a man more than untrustworthy, who, as every one knew, played a double game with the Romans and with Jugurtha, and who seemed almost to have contrived the scheme for the purpose of obtaining for himself provisional hostages from both sides in the persons of Jugurtha and Sulla. But the wish to terminate the war outweighed every other consideration, and Sulla agreed to undertake the perilous task which Marius suggested to him. He boldly departed under the guidance of Volux the son of king Bocchus, nor did his resolution waver even when his guide led him through the midst of Jugurtha's camp. He rejected the pusillanimous proposals of flight that came from his attendants, and marched, with the king's son at his side, uninjured through the enemy. The daring officer evinced the same decision in the discussions with the sultan, and induced him at length seriously to make his choice.

Jugurtha was sacrificed. Under the pretext that all his requests were to be granted, he was allured by his own father-in-law into an ambush, his attendants were killed, and he himself was taken prisoner. The great traitor thus fell by the treachery of his nearest relatives. Lucius Sulla brought the crafty and restless African in chains along with his children to the Roman headquarters; and the war which had lasted for seven years was at an end. The victory was primarily associated with the name of Marius. King Jugurtha in royal robes and in chains, along with his two sons, preceded the triumphal chariot of the victor, when he entered Rome on the 1st of January $\frac{650}{104}$: by his orders the son of the desert perished a few days afterwards in the subterranean city-prison, the old *tullianum* at the Capitol—the “bath of ice” as the African called it, when he crossed the threshold in order either to be strangled or to perish from cold and hunger there. But it could not be denied that Marius had the least important share in the actual successes: the conquest of Numidia up to the edge of the desert was the work of Metellus, the capture of Jugurtha was the work of Sulla, and between the two Marius played a part somewhat compromising the dignity of an ambitious upstart. Marius reluctantly tolerated the assumption by his predecessor of the name of conqueror of Numidia; he flew into a violent rage when king Bocchus afterwards consecrated a golden sculpture at the Capitol, which represented the surrender of Jugurtha to Sulla; and yet in the eyes of unprejudiced judges the services of these two threw the generalship of Marius very much into the shade.

—more especially Sulla's brilliant expedition to the desert, which had made his courage, his presence of mind, his acuteness, his power over men to be recognised by the general himself and by the whole army. In themselves these military rivalries would have been of little moment, if they had not been mixed up with the conflict of political parties, if the opposition had not supplanted the senatorial general by Marius, and if the party of the government had not, with the deliberate intention of exasperating, praised Metellus and still more Sulla as the military celebrities and preferred them to the nominal victor. We shall have to return to the fatal consequences of these animosities when narrating the internal history.

Otherwise, this insurrection of the Numidian client state passed away without producing any noticeable change either in political relations generally or even in those of the African province. By a deviation from the policy elsewhere followed at this period Numidia was not converted into a Roman province, evidently because the country could not be held without an army to protect the frontier against the barbarians of the desert, and the Romans were by no means disposed to maintain a standing army in Africa. They contented themselves accordingly with annexing the most westerly district of Numidia, probably the tract from the river Molochath to the harbour of Saldæ (Bongie)—the later *Mauretania Caesariensis* (province of Algiers)—to the kingdom of Bocchus, and with handing over the kingdom of Numidia thus diminished to the last legitimate grandson of Massinissa still surviving, Gauda the half brother of Jugurtha, feeble in body and mind, who had already in 50^{BC} at the suggestion of Marius asserted his claims before the senate.¹

¹ Sallust's political *genre-painting* of the Jugurthine war—the only picture that has preserved its colours fresh in the utterly faded and blanched picture of the fall of Jugurtha, faithful to its colours there elsewhere.

Roman Africa at the time of Caesar (*B. C.* ii. 35, *B. Afr.* 43, 72) and by the time of Augustus (*B. Afr.* 21) indicates, that the kingdom of Bocchus was considerably enlarged; the latter fact, that *Mauretania* originally extended to the western half of Africa, afterwards enlarged by the Romans, and then in 50^{BC} after

At the same time the Gaetulan tribes in the interior of Africa were received as free allies into the number of the independent nations that had treaties with Rome.

Of greater importance than this regulation of African clientship were the political consequences of the Jugurthine war or rather of the Jugurthine insurrection, although these have been frequently estimated too highly. Certainly all the evils of the government were therein brought to light in all their nakedness; it was now not merely notorious but, so to speak, judicially established, that among the governing lords of Rome everything was treated as venal—the treaty of peace and the right of intercession, the rampart of the camp and the life of the soldier; the African had said no more than the simple truth, when on his departure from Rome he declared that, if he had only gold enough, he would undertake to buy the city itself. But the whole external and internal government of this period bore the same stamp of miserable baseness. In our case the accidental fact, that the war in Africa is brought nearer to us by means of better accounts than the other contemporary military and political events, shifts the true perspective; contemporaries learned by these revelations nothing but what everybody knew long before and every intrepid patriot had long been in a position to support by facts. The circumstance, however, that they were now furnished with some fresh, still stronger and still more irrefutable, proofs of the baseness of the restored senatorial government—a baseness only surpassed by its incapacity—might have been of importance, had there been an opposition and a public opinion with which the government would have found it necessary to come to terms. But this war had in fact revealed the utter nullity of the opposition no less than it had exposed the corruption of the government. It was not possible to govern worse than the restoration governed in the years $\frac{637}{117}$ — $\frac{645}{109}$; it was not possible to be more defenceless and forlorn than was the senate in $\frac{645}{109}$: had there been in Rome a real opposition, that is to say, a party which wished and urged a fundamental alteration of the constitution, it must necessarily have now made at least an attempt to overturn the restored senate. No such attempt took place; the political question was converted into a personal one, the generals were changed, and one or two useless and unimportant people were banished. It was thus

the breaking up of the Numidian kingdom, it is probable that the region of Caesarea was added on the first, and that of Sitifis on the second augmentation.

settled, that the so-called popular party as such neither could nor would govern; that only two forms of government were at all possible in Rome, a *tyrannis* or an oligarchy; that, so long as there happened to be nobody sufficiently well known, if not sufficiently important, to usurp the regency of the state, the worst mismanagement endangered at the most individual oligarchs, but never the oligarchy; that on the other hand, so soon as such a pretender appeared, nothing was easier than to shake the rotten curule chairs. In this respect the coming forward of Marius was significant, just because it was in itself so utterly unwarranted. If the burgesses had stormed the senate-house after the defeat of Albinus, it would have been natural, not to say proper; but after the turn which Metellus had given to the Numidian war, nothing more could be said of mismanagement, and still less of danger to the commonwealth, at least in that respect; and yet the first ambitious officer who turned up succeeded in doing that with which the older Africanus had once threatened the government (ii. 337), and procured for himself one of the principal military commands against the distinctly expressed will of the governing body. Public opinion, unavailing in the hands of the so-called popular party, became an irresistible weapon in the hands of the future king of Rome. We do not mean to say that Marius intended to play the pretender, at least at the time when he canvassed the people for the supreme command in Africa; but, whether he did or did not understand what he was doing, there was evidently an end to the old government when the comitial assembly, in the same manner as it had done in the same fashion to nominate himself as general. Only one thing emerged in these preliminary crises; this was the introduction of military men and of military power into the political revolution. Whether the coming forward of Marius would be the immediate prelude of a new attempt to supersede the oligarchy by the *tyrannis*, or whether it would, as in various similar cases, pass away without further consequence as an isolated encroachment on the prerogative of the government, could not yet be determined; but it could well be foreseen that, if these rudiments of a new government, it was not a

hitherto required, and allowed even the poorest burgher, if he was otherwise serviceable, to enter the legion as a volunteer - may have been projected by its author on purely military grounds; but it was none the less on that account a momentous political event, that the army was no longer, as formerly, composed of those who had much, no longer even, as in the most recent times, composed of those who had something to lose, but became gradually converted into a host of people who had nothing but their arms and what the general bestowed on them. The aristocracy ruled in 1651 as absolutely as in 1551; but the cause of the impending catastrophe had multiplied, and on the political basis of the crown had begun to appear by the side of the crown.

CHAPTER V

THE PEOPLES OF THE NORTH

FROM the close of the sixth century the Roman community ruled over the three great peninsulas projecting from the northern continent into the Mediterranean, at least taken as a whole. Even there however—in the north and west of Spain, in the valleys of the Ligurian Apennines and the Alps, and in the mountains of Macedonia and Thrace—tribes wholly or partially free continued to defy the negligent Roman government. Moreover the continental communication between Spain and Italy as well as between Italy and Macedonia was very superficially provided for, and the countries beyond the Pyrenees, the Alps, and the Balkan chain—the great river basins of the Rhone, the Rhine, and the Danube—in the main lay beyond the political horizon of the Romans. We have now to set forth what steps were taken on the part of Rome to secure and to round off her empire in this direction, and how at the same time the great masses of peoples, who were ever moving to and fro behind that mighty mountain-screen, began to beat at the gates of the northern mountains and rudely to remind the Graeco-Roman world that it was mistaken in believing itself the sole possessor of the earth.

Let us first glance at the region between the western Alps and the Pyrenees. The Romans had for long commanded this part of the coast of the Mediterranean through their client city of Massilia, one of the oldest, most faithful, and most powerful of the allied communities dependent on Rome. Its maritime stations, Agatha (Agde) and Rhoda (Rosas) to the westward, and Tauroentium (Ciotat), Olbia (Hyères?), Antipolis (Antibes), and Nicaea (Nice) on the east secured the navigation of the coast as well as the land-route from the Pyrenees to the Alps:

... .. above Nice and Antibes.
 and Decietes, was undertaken against the Ligurians.
 taken by the Romans in 118 partly at the request of the Massiliots, partly in their own interest; and after hot conflicts, some of which were attended with much loss, this district of

the mountains was compelled to furnish thenceforth standing hostages to the Massiliots and to pay them a yearly tribute. It is not improbable that about this same period the cultivation of the vine and olive, which flourished in this quarter after the model set by the Massiliots, was in the interest of the Italian landholders and merchants simultaneously prohibited throughout the territory beyond the Alps dependent on Massilia.¹ A similar character of financial speculation marks the war, which was waged by the Romans under the consul Appius Claudius in 543 against the Salassi respecting the gold mines and gold washings of Victumulae (in the district of Vercelli and Bard and in the whole valley of the Dora Baltea). The great extent of these washings, which deprived the inhabitants of the country lying lower down of water for their fields, first gave rise to an attempt at mediation and then to the armed intervention of the Romans. The war, although the Romans began it like all the other wars of this period with a defeat, led at last to the subjugation of the Salassi, and the cession of the gold district to the Roman treasury. Some forty years afterwards (503) the colony of Eporedia (Ivrea) was instituted on the territory thus gained, chiefly doubtless with a view to command the western, as Aquileia commanded the eastern, passage of the Alps.

These Alpine wars first assumed a more serious character, when Marcus Fulvius Flaccus, the faithful ally of Gaius Gracchus, took the chief command in this quarter as consul in 528. He was the first to enter on the career of Transalpine conquest. In the much divided Celtic nation at this period the canton of the Bituriges had lost its real hegemony and retained merely an honorary presidency, and the actually leading canton in the region from the Pyrenees to the Rhine and from the Mediterranean to the Western Ocean was that of the Arverni;² so that the statement seems not quite an exaggeration, that it could bring into the field as many as 180,000 men. With them the Haedui (about Autun) carried on an unequal rivalry for the hegemony; while in north-eastern Gaul the kings of the Sues-

¹ If Cicero has not allowed himself to fall into an anachronism when he makes Africanus say this as early as 528 (*de Rep.* iii. 9), the view indicated in the text remains perhaps the only possible one. This enactment did not refer to Northern Italy and Liguria, as the cultivation of the vine by the Genuates in 517 (ii. 353, *note*) proves; and as little to the immediate territory of Massilia (Just. xliii. 4; Posidon, *Fr.* 25, Müll.; Strabo, iv. 179). The large export of wine and oil from Italy to the region of the Rhine in the seventh century of the city is well known.

² In Auvergne. Their capital, Nemetum or Nemossus, lay not far from Clermont.

siones (about Soissons) united under their protectorate the league of the Belgic tribes extending over to Britain. Greek travellers of that period had much to tell of the magnificent state maintained by Luerius, king of the Arvernians—how, surrounded by his brilliant train of clansmen, his huntsmen with their pack of hounds in leash and his band of wandering minstrels, he travelled in a silver-mounted chariot through the towns of his kingdom, scattering the gold with a full hand among the multitude, and gladdening above all the heart of the minstrel with the glittering shower. The descriptions of the open table which he kept in an enclosure of 1500 double paces square, and to which every one who came in the way was invited, vividly rem-

fact, the numerous

extant show that

extraordinary wealth and a comparatively high standard of civilisation.

The attack of Flaccus, however, was in the first instance directed not against the Arverni, but against the smaller tribes in the district between the Alps and the Rhone, where the original Ligurian inhabitants had become mixed with subsequent arrivals of Celtic bands, and there had arisen a Celto-

Calvinus (111, 112) against the ALLOBROGES, a powerful Celtic clan in the rich valley of the Isère, which had come at the request of the fugitive king of the Salyes, Tutomotulus, to help him to reconquer his land, but was defeated in the district of Aix. When the Allobroges nevertheless refused to surrender

the encroachments of their Italian neighbours, the Arverni king Betuitus, son of the Luerius already mentioned, seemed not much inclined to enter on a dangerous war for the sake of the loose relation of clientship in which the eastern cantons might stand for him. But when the Romans showed signs of attacking the Allobroges in their own territory, he offered his mediation, the rejection of which was followed by his taking the field with all his forces to help the Allobroges; whereas

the Haedui embraced the side of the Romans. On receiving accounts of the rising of the Arverni, the Romans sent the consul of $\frac{633}{121}$, Quintus Fabius Maximus, to meet in concert with Ahenobarbus the impending attack. On the southern border of the canton of the Allobroges at the confluence of the Isère with the Rhone, on the 8th of August $\frac{633}{121}$, the battle was fought which decided the mastery of southern Gaul. King Betuitus, when he saw the innumerable hosts of the dependent clans marching over to him on the bridge of boats thrown across the Rhone and the Romans who had not a third of their numbers forming in array against them, is said to have exclaimed that there were not enough of the latter to satisfy the dogs of the Celtic army. Nevertheless Maximus, a grandson of the victor of Pydna, achieved a decisive victory; the bridge of boats broke down under the mass of the fugitives; the greater part of the Arvernian army was destroyed. The Allobroges, to whom the king of the Arverni declared himself unable to render further assistance, and whom he advised to make their peace with Maximus, submitted to the consul; whereupon the latter, thenceforth called Allobrogicus, returned to Italy and left to Ahenobarbus the no longer distant termination of the Arvernian war. Ahenobarbus, personally exasperated at king Betuitus because he had induced the Allobroges to surrender to Maximus and not to him, possessed himself treacherously of the person of the king and sent him to Rome, where the senate, although disapproving the breach of fidelity, not only kept the betrayed captive, but gave orders that his son, Congonnetiacus, should likewise be sent to Rome. This seems to have been the reason why the Arvernian war, already almost at an end, once more broke out, and a second appeal to arms took place at Vindalium (above Avignon) at the confluence of the Sorgue with the Rhone. The result was not different from that of the first: on this occasion it was chiefly the African elephants that scattered the Celtic army. Thereupon the Arverni submitted to peace, and tranquillity was restored in the land of the Celts.¹

¹ The battle at Vindalium is placed by the epitomator of Livy and by Orosius before that on the Isara; but the reverse order is supported by Florus and Strabo (iv. 191); and is confirmed partly by the circumstance that Maximus, according to the epitome of Livy and Pliny *H.N.*, vii. 50, fought it when consul, partly and especially by the Capitoline Fasti, according to which Maximus not only triumphed before Ahenobarbus, but the former triumphed over the Allobroges and the king of the Arverni, the latter only over the Arverni. It is clear that the battle with the Allobroges and Arverni must have taken place earlier than that with the Arverni alone.

The result of these military operations was the institution of a new Roman province between the maritime Alps and the Pyrenees. All the tribes between the Alps and the Rhone became dependent on the Romans and, so far as they did not pay tribute to Massilia, probably became now tributaries of Rome. In the country between the Rhone and the Pyrenees the Arverni retained freedom and were not bound to pay tribute to the Romans, but they had to cede to Rome the most southerly portion of their direct or indirect territory—the district to the south of the Cevennes as far as the Mediterranean, and the upper course of the Garonne as far as Tolosa (Toulouse). As the primary object of these occupations was the establishment of a land communication between Italy and Spain, arrangements were made immediately thereafter for the construction of the road along the coast. For this purpose a belt of coast from the Alps to the Rhone, from 1 to 1½ of a mile in breadth, was handed over to the Massiliots, who already had a series of maritime stations along this coast, with the obligation of keeping the road in proper condition, while from the Rhone to the Pyrenees the Romans themselves laid out a military highway, which obtained from its originator Ahenobarbus the name of *Via Domitia*.

As usual, the formation of new fortresses was combined with the construction of roads. In the eastern portion the Romans chose the spot where Gaius Sextus defeated the Celts, and where the pleasantness and fertility of the region as well as the numerous hot and cold springs invited them to settlement, a Roman township sprang up there—the “baths of Sextus,” *Aquæ Sextiæ* (Aix). To the west of the Rhone the Romans settled in Narbo, an ancient Celtic town on the navigable river Atax (Aude) at a small distance from the sea, which is already mentioned by Hecataeus, and which even before its occupation by the Romans was the rival of Massilia as a place of stirring commerce, and as sharing the trade in British tin. *Aquæ* did not obtain civic rights, but remained a standing camp,² whereas Narbo, although in like manner founded mainly as a sentinel outpost against the Celts, became, as “Mars’ town,” a Roman burgess-colony and the usual seat of the governor of the new

Transalpine Celtic province or, as it was more frequently called, the province of Narbo.

The Gracchan party, which suggested these extensions of territory beyond the Alps, evidently wished to open up there a new and immeasurable field for their plans of colonisation,—a field which offered the same advantages as Sicily and Africa, and could be more easily wrested from the natives than the Sicilian and Libyan estates from the Italian capitalists. The fall of Gaius Gracchus, no doubt, gave occasion here also to restrictions on the acquisition of territory and still more on the founding of cities; but, if the design was not carried out in its full extent, it was at any rate not wholly frustrated. The territory acquired and, still more, the foundation of Narbo—a settlement on which the senate vainly endeavoured to inflict the fate of that at Carthage—remained standing as parts of an unfinished structure, exhorting the future successor of Gracchus to continue the building. It is evident that the Roman mercantile class, which was able to compete with Massilia in the Gallo-Britannic traffic at Narbo alone, protected that settlement from the assaults of the Optimates.

A problem similar to that in the north-west had to be dealt with in the north-east of Italy; it was in like manner not wholly neglected, but was solved still more imperfectly than the former. With the foundation of Aquileia ($\frac{571}{183}$) the Istrian peninsula came into possession of the Romans (ii. 183): in part of Epirus and the former territory of the lords of Scodra they had already ruled for some considerable time previously. But nowhere did their dominion reach into the interior; and even on the coast they exercised scarcely a nominal sway over the inhospitable district between Istria and Epirus, which, with its wild series of mountain-caldrons broken neither by river-valleys nor by coast-plains and arranged like scales one above another, and with its chain of rocky islands stretching along the coast, separates rather than connects Italy and Greece. Around the town of Delmium clustered the confederacy of the Delmatians or Dalmatians, whose manners were rough as their mountains. While the neighbouring peoples had already attained a high degree of culture, the Dalmatians were as yet unacquainted with money, and divided their land, without recognising any special right of property in it, afresh every eight years among the members of the community. Brigandage and piracy were the only native trades. These tribes had in earlier times been in loose relations of dependence on the rulers of Scodra, and had been in con-

sequence chastised by the Roman expeditions against queen Teuta (ii. 68) and Demetrius of Pharos (ii. 69), but on the accession of king Genthius they had revolted and had thus escaped the fate which involved southern Illyria in the fall of the Macedonian empire and rendered it permanently dependent on Rome (ii. 283). The Romans were glad to leave the far from attractive region to itself. But the complaints of the Roman Illyrians, particularly of the Daorsi, who dwelt on the Narenta to the south of the Dalmatians, and of the inhabitants of the island of Issa (Lissa), whose continental stations Tragurium (Trau) and Epetium (near Spalato) suffered severely from the natives, compelled the Roman government to despatch an embassy to the latter, and on receiving the reply that the Dalmatians had neither troubled themselves hitherto about the Romans nor would do so in future, to send thither an army in 49 B.C. under the consul Gaius Marcius Figulus. He penetrated into Dalmatia, but was again driven back into the Roman territory. It was not till his successor Publius Scipio Nasica took the large and strong town of Delmum in 38 B.C., that the confederacy conformed and professed itself subject to the Romans. But the poor and only superficially subdued country was not sufficiently important to be erected into a distinct province: the Romans contented themselves, as they had already done in the case of the more important possessions in Epirus, with having it administered from Italy along with Cisalpine Gaul; an arrangement which was, at least as a rule,

But this very conversion of Macedonia into a province directly dependent on Rome gave to the relations of Rome with the peoples on the north-east greater importance, by imposing on the Roman government the everywhere exposed the adjacent barbarian afterwards (133) the Isonese (peninsula of

¹ P. 40. The Piræstia in the valleys of the Drin belonged to the people of Macedonia, but made forays into the neighbouring Illyrian Narenta (B. G. v. 1).

that day into their own hands. These Celtic hordes streaming along on both sides of the Alps had after their fashion occupied chiefly the flat and hill country; the Alpine regions proper and likewise the district along the Adige and the Lower Po were not occupied by them, and remained in the hands of the earlier and more civilized population. Nothing certain has yet been ascertained of the Celtic settlements in the Tyrol, and under that of the Euganei and Veneti about Padua and Venice, so that at this last point the two great Celtic streams almost touched each other, and only a narrow belt of native population separated them. The Celtic invasions from the north and west, and the long and frequent forays down from their mountains into the plain between the Alps and the Po, where they were not content with levying contributions, but conducted themselves with fearful cruelty in the places which they captured, not unfrequently slaughtering the whole male population down to the infant in the cradle—the practical answer, it may be presumed, to the Roman razzias in the Alpine valleys. How dangerous these Raetian incursions were, appears from the fact that one of them about 90 B.C. destroyed the considerable township of Comum.

If these Celtic and non Celtic tribes having their settlements upon and beyond the Alpine chain were already variously intermingled, there was, as may easily be conceived, a still more comprehensive intermixture of peoples in the countries on the Lower Danube, where there were no high mountain ranges, as in the more western regions, to serve as natural walls of partition. The original Illyrian population, of which the modern Albanians seem to be the last pure survivors, was throughout, at least in the interior, largely mixed with Celtic elements, and the Celtic armour and Celtic method of warfare were probably everywhere introduced in that quarter. Next to the Taurnici came the Japydes, who had their settlements on the Julian Alps in the modern Croatia as far down as Fiume and Zeng,—a tribe originally doubtless Illyrian, but largely mixed with Celtic. Bordering with these along the coast were the already mentioned Dalmatians, into whose rugged mountains the Celts do not seem to have penetrated; whereas in the interior the Celtic Scordisci, to whom the tribe of the Triballi which was formerly especially powerful there had succumbed, and who had played a principal

the *Pléræti* or *Paralii*, a Dalmatian tribe on the coast to the north of the mouth of the Narenta, which was incessantly perpetrating outrages on the sea and on the opposite coast: by order of the Romans they removed from the coast and settled in the interior of the modern Herzegovina, where they began to cultivate the soil, but, unused to their new calling, pined away in that inclement region. At the same time an attack was directed from Macedonia against the *Scordisci*, who had, it may be presumed, made common cause with the assailed inhabitants of the coast. Soon afterwards (475) the consul Tuditanus in connection with the able Decimus Brutus, the conqueror of the Spanish Gallaeci, humbled the Japydes, and, after sustaining a defeat at the outset, at length carried the Roman arms into the heart of Dalmatia as far as the river Kerka, 115 miles distant from Aquileia; the Japydes thenceforth appear as a nation at peace and on friendly terms with Rome. But ten years later (485) the Dalmatians rose afresh, once more in concert with the *Scordisci*. While the consul Lucius Cotta fought against the latter and in doing so advanced apparently as far as Segestica, his colleague Lucius Metellus afterwards named Dalmaticus, the elder brother of the conqueror of Numidia, marched against the Dalmatians, conquered them and passed the winter in Salona.

easterly direction to Andetrium (near Mûch) and thence farther into the interior, falls within this period.

The expedition of the consul of 475, Marcus Aemilius Scaurus, against the *Taurisci*² presented more the character of a war of conquest. He was the first of the Romans to cross the chain of the eastern Alps at their lowest elevation between Trieste and Laybach, and contracted hospitable relations with the *Taurisci*; which secured a not unimportant commercial intercourse without involving the Romans, as a formal subjugation would have involved them, in the commotions of the peoples to the north of the Alps. The attacks about the same time directed from Macedonia towards the Danube yielded at first a very un-
happily result: the consul of 474, Gaius Porcius Cato, was surprised in the Servian mountains by the *Scordisci*, and his army completely destroyed, while he himself with a few

² They are called in the Triumphant Fasti *Galli Karni*; and in Vellei *Liguri Taurisci* (for such should be the reading instead of the corrected *Liguri et Carni*).

which touched the orbit of ancient civilisation, was a link, the direct and living knowledge of it had long passed away.

This homeless people of the Cimbri, which hitherto had been prevented from advancing to the south by the Celts on the Danube, more especially by the Boni, broke through that barrier in consequence of the attacks directed by the Romans against the Danubian Celts, either because the latter invoked the aid of their Cimbrian antagonists against the advancing legions, or because the Roman attack prevented them from protecting as hitherto their northern frontiers. Advancing through the territory of the Scordisci into the Tauriscan country, they approached in 441 the passes of the Carnian Alps, to protect which the consul Gnaeus Papirius Carbo took up a position on the heights not far from Aquileia. Here, seventy years before, Celtic tribes had attempted to settle on the south of the Alps, but at the bidding of the Romans had evacuated without resistance the ground which they had already occupied (ii 183) even now the dread of the Transalpine peoples at the Roman name showed itself powerfully. The Cimbri did not attack, indeed, when Carbo ordered them to evacuate the territory of the Taurisci who were in relations of hospitality with Rome—an order which the treaty with the latter by no means bound him to make—they complied and followed the guides whom Carbo had assigned to them to escort them over the frontier. But these guides were in fact instructed to lure the Cimbri into an ambush, where the consul awaited them. Accordingly an engagement took place not far from Norcia in the modern Carinthia, in which the betrayed gained the victory over the betrayer and inflicted on him considerable loss, a storm, which separated the combatants, alone prevented the complete annihilation of the Roman army. The Cimbri might have immediately directed their attack towards Italy, they preferred to turn to the westward. By treaty with the Helvetii and the Sequani rather than by force of arms they made their way to the left bank of the Rhine and over the Jura, and there some years after the defeat of Carbo once more threatened the Roman territory by their immediate vicinity.

With a view to cover the frontier of the Rhine and the immediately threatened territory of the Allobroges, a Roman army under Marcus Junius Silanus appeared in 443 in Southern Gaul. The Cimbri requested that land might be assigned to them where they might peacefully settle—a request which certainly could not be granted. The consul instead of replying attacked

them; he was utterly defeated and the Roman camp was taken. The new levies which were occasioned by this misfortune were already attended with so much difficulty, that the senate procured the abolition of the laws—probably proceeding from Gaius Gracchus—which limited the obligation to military service in point of time (p. 104). But the Cimbri, instead of following up their victory over the Romans, sent to the senate at Rome to repeat their request for the assignment of land, and meanwhile employed themselves, apparently, in the subjugation of the surrounding Celtic cantons.

Thus the Roman province and the new Roman army were left for the moment undisturbed by the Germans; but a new enemy arose in Gaul itself. The Helvetii, who had suffered much in the constant conflicts with their north-eastern neighbours, felt themselves stimulated by the example of the Cimbri to seek in their turn for more quiet and fertile settlements in western Gaul, and had perhaps, even when the Cimbrian hosts marched through their land, formed an alliance with them for that purpose. Now under the leadership of Divico the forces of the Tougeni (position unknown) and of the Tigorini (on the lake of Murten) crossed the Jura,¹ and reached the territory of the Nitobroges (about Agen on the Garonne). The Roman army under the consul Lucius Cassius Longinus, which they here encountered, allowed itself to be decoyed by the Helvetii into an ambush, in which the general himself and his legate, the consular Gaius Piso, along with the greater portion of the soldiers met their death; Gaius Popillius, the interim commander-in-chief of the force which had escaped to the camp, was allowed to withdraw under the yoke on condition of surrendering half the property which the troops carried with them and furnishing hostages ($\frac{6}{10}^{\frac{1}{2}}$). So perilous was the state of things for the Romans, that one of the most important towns in their own province, Tolosa, rose against them and placed the Roman garrison in chains.

But, as the Cimbrians continued to employ themselves elsewhere, and the Helvetii did not further molest for the moment the Roman province, the new Roman commander-in-chief, Quintus Servilius Caepio, had full time to recover possession of

¹ The usual hypothesis, that the Tougeni and Tigorini had advanced at the same time with the Cimbri into Gaul, cannot be supported by Strabo (vii. 293), and is little in harmony with the separate part acted by the Helvetii. Our traditional accounts of this war are, besides, so fragmentary that, just as in the case of the Samnite wars, a connected historical narration can only lay claim to approximate accuracy.

the town of Tolosa by treachery and to empty at leisure the immense treasures accumulated in the old and famous sanctuary of the Celtic Apollo. It was a desirable gain for the embarrassed exchequer, but unfortunately the gold and silver vessels on the way from Tolosa to Massilia were taken from the weak escort by a band of robbers, and totally disappeared. The consul himself and his staff were, it was alleged, the instigators of the onset (§104). Meanwhile they confined themselves to the strictest defensive as regarded the chief enemy, and guarded the Roman province with three strong armies, till it should please the Cimbrians to repeat their attack.

They came in §105 under their king Boiorix, on this occasion seriously meditating an inroad into Italy. They were opposed on the right bank of the Rhone by the proconsul Caepio, on the left by the consul Gnaeus Mallius Maximus and by his legate, the consular Marcus Aurelius Scaurus, under him at the head of a detached corps. The first onset fell on the latter, he was totally defeated and brought in person as a prisoner to the enemy's head-quarters where the Cimbrian king, indignant at the proud warning given to him by the captive Roman not to venture with his army into Italy, put him to death. Maximus thereupon ordered his colleague to bring his army over the Rhone. The latter complying with reluctance at length appeared at Arausio (Orange) on the left bank of the river, where the whole Roman force now stood confronting the Cimbrian army, and is alleged to have made such an impression by its considerable numbers that the Cimbrians began to negotiate. But the two leaders lived in the most vehement discord. Maximus, an obscure and incapable man, was as consul the legal superior of his prouder and better born, but not better qualified, proconsular colleague Caepio, but the latter refused to occupy a common camp and to devise operations in concert with him, and still, as formerly, maintained his independent command. In vain deputies from the Roman senate endeavoured to effect a reconciliation, a personal conference between the generals on which the officers insisted only widened the breach. When Caepio saw Maximus negotiating with the envoys of the Cimbrians, he fancied that the latter wished to gain the sole credit of their subjugation and threw himself with his portion of the army alone in all haste on the enemy. He was utterly annihilated, so that even his camp fell into the hands of the enemy (6 Oct §107), and his destruction was followed by the complete defeat of the second Roman army. It is asserted that

80,000 Roman soldiers and half as many of the immense and helpless body of camp-followers perished, and that only ten men escaped: this much is certain, that only a few out of the two armies succeeded in escaping, for the Romans had fought with the river in their rear. It was a calamity which materially and morally far surpassed the day of Cannae. The defeats of Carbo, of Silanus, and of Longinus had passed without producing any permanent impression on the Italians. They were accustomed to open every war with disasters; the invincibleness of the Roman arms was so firmly established, that it seemed superfluous to attend to the pretty numerous exceptions. But the battle of Arausio, the alarming proximity of the victorious Cimbrian army to the undefended passes of the Alps, the insurrections breaking out afresh and with increased force both in the Roman territory beyond the Alps and among the Lusitanians, the defenceless condition of Italy, produced a sudden and fearful awakening from these dreams. Men recalled the never wholly forgotten Celtic inroads of the fourth century, the day on the Allia and the burning of Rome: with the double force at once of the oldest remembrance and of the freshest alarm the terror of the Gauls came upon Italy; through all the West people seemed to be aware that the Roman empire was beginning to totter. As after the battle of Cannae, the period of mourning was shortened by decree of the senate.¹ The new enlistments brought out the most painful scarcity of men. All Italians capable of bearing arms had to swear that they would not leave Italy; the captains of the vessels lying in the Italian ports were instructed not to take on board any man fit for service. It is impossible to tell what might have happened, had the Cimbrians immediately after their double victory advanced through the gates of the Alps into Italy. But they first overran the territory of the Arverni, who laboured to defend themselves in their fortresses against the enemy; and soon, weary of sieges, set out from thence, not to Italy, but westward to the Pyrenees.

If the torpid organism of the Roman polity could still be brought to recover of itself its healthy action, that recovery could not but take place now, when, by one of the marvellous chances in which the history of Rome is so rich, the danger was sufficiently imminent to rouse all the energy and all the patriotism of the burgesses, and yet did not burst upon them so suddenly as to leave no space for the development of their resources. But

¹ To this, beyond doubt, the fragment of Diodorus (*Vat.* p. 122) relates.

the very same phenomena, which had occurred four years previously after the African defeats, presented themselves afresh. In fact the African and Gallic disasters were essentially of the same kind. It may be that primarily the blame of the former fell more on the oligarchy as a whole, that of the latter more on individual magistrates, but public opinion justly recognised in both, above all things, the bankruptcy of the government, which in its progressive development imperilled first the honour and now the very existence of the state. People just as little deceived themselves then as now regarding the true seat of the evil, but as little now as

to apply the remedy at the

the system was to blame,

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It was against Quintus

and justly, in so far as he had primarily occasioned
even apart from

the Tolosan booty, but the

against him was essentially augmented by the fact, that he had

to wrest the office of juryman

his account the old venerable

principle, that the

of the magistracy should be

respected even in the person of its worst occupant, was violated,

and, while the censure due to the author of the calamitous day

of Cannae had been silently repressed within the breast, the

author of the defeat of Arausio was by decree of the people

unconstitutionally deprived of his proconsulship, and what

had not occurred since the crisis in which the monarchy had

perished—his property was confiscated by the state (111?)

Not long afterwards he was by a second decree of the

expelled from the senate (112?) But this was not enough,

more victims were desired, and above all Cæpio's blood. A

number of tribunes of the people favourable to the opposition

with Lucius Appuleius Saturninus and Gaius Verulanus at their

head, proposed in § 10¹/₃ to appoint an extraordinary judicial commission in reference to the embezzlement and treason perpetrated in Gaul; in spite of the practical abolition of imprisonment previous to trial and of the punishment of death for political offences, Caepio was arrested and the intention of pronouncing and executing in his case sentence of death was openly expressed. The government party attempted to get rid of the proposal by tribunician intervention; but the interceding tribunes were violently driven from the assembly, and in the furious tumult the first men of the senate were assailed with stones. The investigation could not be prevented, and the war of prosecutions pursued its course in § 10¹/₃ as it had done six years before; Caepio himself, his colleague in the supreme command Gnaeus Mallius Maximus, and numerous other men of note were condemned: a tribune of the people, who was a friend of Caepio, with difficulty succeeded by the sacrifice of his own civil existence in saving at least the life of the chief person accused.¹

¹ The deposition from office of the proconsul Caepio, with which was combined the confiscation of his property (Liv. *Ep.* 67), was probably pronounced by the assembly of the people immediately after the battle of Arausio (6th October, § 10¹/₃). That some time elapsed between that act and his proper downfall, is clearly shown by the proposal made in § 10¹/₃, and aimed at Caepio, that deposition from office should involve the forfeiture of a seat in the senate (Asconius in *Cornel.* p. 78). The fragments of Licinianus (p. 10; *Cn. Manilius ob eandem causam quam et Cepio L. Saturnini rogatione e civitate est cilo* [?] *electus*; which throws light on the allusion in *Cic. de Or.* ii. 28, 125) now informs us that a law proposed by Lucius Appuleius Saturninus brought about this catastrophe. This is evidently no other than the Appuleian law as to the *minuta maiestas* of the Roman state (*Cic. de Or.* ii. 25, 107; 49, 201), i.e., the proposal of Saturninus for the appointment of an extraordinary commission to investigate the treasons that had taken place during the Cimbrian troubles. The commission of inquiry as to the gold of Tolosa (*Cic. de N.D.* iii. 30, 74) arose out of the Appuleian law, in the very same way as the special courts of inquiry—further mentioned in that passage—as to a scandalous bribery of judges out of the Mucian law of § 14¹/₃, as to the occurrences with the Vestals out of the Peducaean law of § 11¹/₃, and as to the Jugurthine war out of the Mamilian law of § 11¹/₃. A comparison of these cases also shows that in such special commissions—different in this respect from the ordinary ones—even punishments affecting life and limb might be and were inflicted. The fact that elsewhere the tribune of the people, Gaius Norbanus, is named as the person who set agoging the proceedings against Caepio and was afterwards brought to trial for doing so (*Cic. de Or.* ii. 40, 167; 48, 199; 40, 202; *Or. Post.* 30, 105, & al.) is not inconsistent with the view given above; for the proposal proceeded as usual from several tribunes of the people (*ad Herenn.* i. 14, 24; *Cic. de Or.* ii. 47, 197), and, as Saturninus was already dead when the aristocratic party was in a position to think of retaliation, they fastened on his colleague. As to the period of this second and final condemnation of Caepio, the usual very inconsiderate hypothesis, which places it in § 10¹/₃, ten years after the battle of Arausio, has been already rejected. It rests simply on the fact that Crassus when

Of more importance than this measure of revenge was the question how the dangerous war beyond the Alps was to be further carried on, and first of all to whom the supreme command in it was to be committed. With an unprejudiced treatment of the matter it was not difficult to make a fitting choice. Rome was no doubt, in comparison with earlier times, not rich in military notabilities, yet Quintus Maximus had commanded with distinction in Gaul, Marcus Aemilius Scaurus and Marcus Minucius in the regions of the Danube, Quintus Metellus, Publius Rutilius Rufus, Gaius Marius in Africa, and the object proposed was not to defeat a Pyrrhus or a Hannibal, but again to make good the often tried superiority of Roman arms and Roman tactics in opposition to the barbarians of the north—an object which required no hero, but merely a stern and able soldier. But it was precisely a time when nothing was so difficult as the unprejudiced settlement of a question of administration. The government was, as it could not but be and as the Jugurthine war had already shown, so utterly bankrupt in public opinion, that its ablest generals had to retire in the full career of victory, whenever it occurred to an officer of mark to vilify them before the people and to get himself as the candidate of the opposition appointed to the head of affairs. It was no wonder that what took place after the victories of Metellus was repeated on a

consul, consequently in 63^{B.C.} spoke in favour of Cræpo (*Cic. Brut.* 41. 42) which however he manifestly did not as his advocate but on the occasion

materials for deciding the point with entire certainty but the great preponderance of probability is in favour of the former view partly because it was nearer to the disastrous events in Gaul partly because in the (probably full) accounts of the second tribunate of Saturninus there is no mention of Quintus Cæcilius and the acts of violence directed against him. The circumstance that the sums paid back to the treasury in consequence of the decision as to the embezzlement of the Tolman lands were estimated by Saturninus in his second tribunate for his schemes of redistribution (*the Laws II* 73, 5 and therein Orelli *Ind. Leg.* p. 152) is not to be overlooked, and may, moreover have been easily transferred by mistake from the first African to the second general agrarian law of Saturninus.

The fact that afterwards when Scævola was impeached his impeachment proceeded on the very ground of the law which he had taken part in suggesting was an ironical incident even in the Roman political procedure of this period (*Cic. Brut.* 30, 354) and which in the end resulted in the fact that the Appuleian law was, like the later Cæneian a general law of high treason.

—particularly the construction of a canal of the Rhone, afterwards handed over to the Massiliots, for facilitating the transit of the supplies sent from Italy to the army. He maintained a strictly defensive attitude, and did not cross the bounds of the Roman province.

At length, apparently in the course of 451, the wave of the Cimbri, after having broken itself in Spain on the brave resistance of the native tribes and especially of the Celtiberians, flowed back again over the Pyrenees and thence, as it appears, passed along the shore of the Atlantic Ocean, where everything from the Pyrenees to the Seine submitted to the terrible invaders. There, on the confines of the brave confederacy of the Belgae, they first encountered serious resistance, but there also, while they were in the territory of the Vellocassi (near Rouen), considerable reinforcements reached them. Not only three cantons of the Helvetii, including the Tigorini and Tougeni who had formerly fought against the Romans at the Garonne, associated themselves, apparently about this period, with the Cimbri, but these were also joined by the kindred Teutones under their king Teutobod, who had been driven by events which tradition has not recorded from their home on the Baltic sea to appear now on the Seine.¹ But even the united hordes were unable to overcome the brave resistance of the Belgae. The leaders accordingly resolved, now that their numbers were thus swelled to enter in all earnest on the expedition to Italy which they had several times contemplated. In order not to encumber themselves with the spoil which they had heretofore collected, they left it behind under the protection of a division of 6000 men, which after many wanderings subsequently gave rise to the tribe of the Aduatuci on the Sambre. But, whether from the difficulty of finding supplies on the Alpine routes or from other reasons, the mass again broke up into two hosts, one of which, composed of the Cimbri and Tigorini, was to recross the Rhine and to invade Italy through the passes of the eastern Alps already reconnoitred in 443, and the other, composed of the newly arrived Teutones, the Tougeni, and the Ambrones—the

¹ The view here presented rests in the main on the comparatively trustworthy account in the Epitome of Livy (where we should read *reversi in Galliam in Vellocassis se Teutonibus coniunxerunt*) and in Obsequens to the disregard of authorities of lesser weight, which make the Teutones
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flower of the Cimbrian host already tried in the battle of Arausio—was to invade Italy through Roman Gaul and the western passes. It was this second division, which in the summer of 105² once more crossed the Rhone without hindrance, and on its left bank resumed, after a pause of nearly three years, the struggle with the Romans. Marius awaited them in a well chosen and well provisioned camp at the confluence of the Isère with the Rhone, in which position he intercepted the passage of the barbarians by either of the only two military routes to Italy then practicable, that over the Little St. Bernard, and that along the coast. The Teutones attacked the camp which obstructed their passage; for three consecutive days the barbarians assailed the Roman entrenchments, but their wild courage was thwarted by the superiority of the Romans in fortress-warfare and by the prudence of the general. After severe loss the bold associates resolved to give up the assault, and to march onward to Italy past the camp. For six successive days they continued to defile—a proof of the cumbrousness of their baggage still more than of the immensity of their numbers. The general permitted the march to proceed without attacking them. We can easily understand why he did not allow himself to be led astray by the insulting inquiries of the enemy whether the Romans had no commissions for their wives at home; but the fact, that he did not take advantage of this rash defiling of the barbarian columns in front of the concentrated Roman troops for the purpose of attack, shows how little he trusted his unpractised soldiers.

When the march was over, he broke up his encampment and followed in the steps of the enemy, preserving rigorous order and carefully entrenching himself night after night. The Teutones, who were striving to gain the coast road, marching down the banks of the Rhone reached the district of Aquæ Sextiæ, followed by the Romans. The light Ligurian troops of the Romans, as they were drawing water, here came into collision with the Celtic rear-guard, the Ambrones; the conflict soon became general; after a hot struggle the Romans conquered and pursued the retreating enemy up to their waggon-stronghold. This first successful collision elevated the spirits of the general as well as of the soldiers; on the third day after it Marius drew up his array for a decisive battle on the hill, the summit of which bore the Roman camp. The Teutones, long impatient to measure themselves against their antagonists, immediately rushed up the hill and began the conflict. It was severe and protracted: up to midday the Germans stood like a

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wall, but the unwonted heat of the Provencal sun relaxed their energies, and a false alarm in their rear, where a band of Roman camp boys ran forth from a wooded ambuscade with loud shouts, fully decided the breaking up of the wavering ranks. The whole horde was scattered, and, as was to be expected in a foreign land, either put to death or taken prisoners. Among the captives was King Teutobod, among the killed a multitude of women, who, not unacquainted with the treatment which awaited them as slaves, had caused themselves to be slain in desperate resistance at their waggons, or had put themselves to death in captivity, after having vainly requested to be dedicated to the service of the gods and of the sacred virgins of Vesta (summer of 61-60).

Thus Gaul was delivered from the Germans, and it was time, for their brothers in arms were already on the south side of the Alps. In alliance with the Helvetii, the Cimbri had without difficulty passed from the Seine to the region of the sources of the Rhine, had crossed the chain of the Alps by the Brenner pass, and had descended thence through the valleys of the Eisach and Adige into the Italian plain. Here the consul Quintus Lutatius Catulus was to guard the passes, but not fully acquainted with the country and afraid of having his flank turned, he had not ventured to advance into the Alps, but had posted himself below Trent on the left bank of the Adige, and had secured in any event his retreat to the right bank by the construction of a bridge. When the Cimbrians, however, pushed forward in dense masses from the mountains, a panic seized the Roman army, and legionaries and horsemen ran off, the latter straight for the capital, the former to the nearest height which seemed to afford security. With great difficulty Catulus brought at least the greater portion of his army by a stratagem back to the river and over the bridge, before the enemy, who commanded the upper course of the Adige and were already floating down trees and beams against the bridge succeeded in destroying it and thereby cutting off the retreat of the army. But the general had to leave behind a legion on the other bank and the cowardly tribune who led it was already disposed to capitulate, when the centurion Gnaeus Petreius of Atina struck him down and cut his way through the midst of the enemy to the main army on the right bank of the Adige. Thus the army, and in some degree even the honour of their arms, was saved, but the consequences of the neglect to occupy the passes and of the too hasty retreat were yet very seriously felt. Catulus was obliged to withdraw

to the right bank of the Po and to leave the whole plain between the Po and the Alps in the power of the Cimbri, so that communication was maintained with Aquileia only by sea. This took place in the summer of 102^2 , about the same time when the decisive battle between the Teutones and the Romans occurred at Aquae Sextiae. Had the Cimbri continued their attack without interruption, Rome might have been greatly embarrassed; but on this occasion also they remained faithful to their custom of resting in winter, and all the more, because the rich country, the unwonted quarters under the shelter of a roof, the warm baths, and the new and abundant supplies for eating and drinking invited them to make themselves comfortable for the moment. Thereby the Romans gained time to encounter them with united forces in Italy. It was no season to resume—as the democratic general would perhaps otherwise have done—the interrupted scheme of conquest in Gaul, which Gaius Gracchus had probably projected. From the battle-field of Aix the victorious army was conducted to the Po; and after a brief stay in the capital, where Marius refused the triumph offered to him until he had utterly subdued the barbarians, he arrived in person at the united armies. In the spring of 101^3 they again crossed the Po, 50,000 strong, under the consul Marius and the proconsul Catulus, and marched against the Cimbri, who on their part seem to have marched up the river with a view to cross the mighty stream at its source.

The two armies met below Vercellae not far from the confluence of the Sesia with the Po,¹ just at the spot where Hannibal had fought his first battle on Italian soil. The Cimbri desired battle, and according to their custom sent to the Romans to settle the time and place for it; Marius gratified them and named the next day—it was the 30th July, 101^3 —and the Raudine plain, a wide level space, which the superior Roman cavalry found advantageous for their movements. Here they fell upon the enemy expecting them and yet taken by surprise; for in the dense morning mist the Celtic cavalry found itself in hand-to-hand conflict with the stronger cavalry of the Romans before it

¹ It is injudicious to deviate from the traditional account and to transfer the field of battle to Verona: in so doing the fact is overlooked that a whole winter and various movements of troops intervened between the conflicts on the Adige and the decisive engagement, and that Catulus, according to express statement (Plut. *Mar.* 24), had retreated to the right bank of the Po. The statements that the Cimbri were defeated on the Po (Hier. *Chron.*), and that they were defeated where Stilicho afterwards defeated the Getae, *i.e.*, at Cherasco on the Tanaro, although both inaccurate, point at least to Vercellae much rather than to Verona.

anticipated attack, and was thereby thrown back upon the infantry which was just making its dispositions for battle. A complete victory was gained with slight loss, and the Cimbri were annihilated. Those might be deemed fortunate who met death in the battle, as most did, including the brave king Boiorix, more fortunate at least than those who afterwards in despair laid hands on themselves, or were obliged to seek in the slave market of Rome the master who might retaliate on the individual Northman for the audacity of having coveted the beautiful south before it was time. The Tigurini, who had remained behind in the passes of the Alps with the view of subsequently following the Cimbri, ran off on the news of the defeat to their native land. The human avalanche, which for thirteen years had alarmed the nations from the Danube to the Ebro, from the Seme to the Po, rested beneath the sod or toiled under the yoke of slavery, the forlorn hope of the German migrations had performed its duty, the homeless people of the Cimbri and their comrades were no more.

The political parties of Rome continued their pitiful quarrels over the cause of the great
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 their duty. The rivalry of the two
 political antagonists, but were also set at variance in a military point of view by the so different results of the two campaigns of
 ———— after the battle in the
 justice assert that the
 decided the victory,
 and that his troops had captured 500 standards, while those of Marius had brought in only two, his soldiers led even the deputies of the town of Parma through the heaps of the dead to show to them that Marius had slain his thousand, but Catulus his ten thousand. Nevertheless Marius was regarded as the real
 Cimbri and justly, not merely because by
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 second victory at Vercellae was in fact rendered possible by the first victory at Aquae Sextiae. But at that period it was considerations of political partisanship rather than of military merit which attached the glory of having saved Rome from the Cimbri and Teutones entirely to the name of Marius. Catulus

was a polished and clever man, so graceful a speaker that his euphonious language sounded almost like eloquence, a tolerable writer of memoirs and occasional poems, and an excellent connoisseur and critic of art; but he was anything but a man of the people, and his victory was a victory of the aristocracy. The battles of the rough farmer on the other hand, who had been raised to honour by the common people and had led the common people to victory, were not merely defeats of the Cimbri and Teutones, but also defeats of the government: there were associated with them hopes far different from that of being able once more to carry on mercantile transactions on the one side of the Alps or to cultivate the fields without molestation on the other. Twenty years had elapsed since the bloody corpse of Gaius Gracchus had been flung into the Tiber; for twenty years the government of the restored oligarchy had been endured and cursed; still there had risen no avenger for Gracchus, no second master to prosecute the building which he had begun. There were many who hated and hoped, many of the worst and many of the best citizens of the state: was the man, who knew how to accomplish this vengeance and these wishes, found at last in the son of the day-labourer of Arpinum? Were they really on the threshold of the so-much dreaded and so-much desired second revolution?

CHAPTER VI

THE ATTEMPT OF MARIUS AT REVOLUTION AND THE ATTEMPT OF DRUSUS AT REFORM

GAIUS MARIUS, the son of a poor day-labourer, was born in $\frac{152}{152}$ at the village of Cereatae then belonging to Arpinum, which afterwards obtained municipal rights as Cereatae Marianae and still at the present day bears the name of "Marius' home" (Casamare). He was reared at the plough, in circumstances so humble that they seemed to preclude him from access even to the magistracies of Arpinum, he learned early—what he practised afterwards even when a general—to bear hunger and thirst, the heat of summer and the cold of winter, and to sleep on the hard ground. As soon as his age allowed him, he had entered the army and in the severe school of the Spanish wars had rapidly raised himself to the position of an officer. In Scipio's Numantine war he, at that time twenty three years of age, attracted the notice of the stern general by the neatness with which he kept his horse and his accoutrements, as well as by his bravery in combat and his propriety of demeanour in camp. He had returned home with honourable scars and warlike distinctions, and with the ardent wish to make himself a name in the career on which

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both by fortunate commercial speculations and by his union with a maiden of the ancient patrician gens of the Julii. So by dint of great efforts and after various rejections he succeeded, in $\frac{113}{113}$, in attaining the praetorship, in which he found opportunity of displaying afresh his military ability as governor of Further Spain. How he thereafter in spite of the aristocracy received the consulship in $\frac{102}{102}$ and, as proconsul ($\frac{100}{100}$, $\frac{100}{100}$), terminated the African war, and how, called after the calamitous day of Arausio to the superintendence of the war against the Germans, he had his consulship renewed for four successive years from $\frac{98}{98}$ — $\frac{94}{94}$ (a thing unexampled in the annals of the republic) and vanquished and annihilated the Cimbrians in

Cisalpine, and the Teutones in Transalpine, Gaul—has been already related. In his military position he had shown himself a brave and upright man, who administered justice impartially, disposed of the spoil with rare honesty and disinterestedness, and was thoroughly incorruptible; a skilful organiser, who had brought the somewhat rusty machinery of the Roman military system once more into a state of efficiency; an able general, who kept the soldier under discipline and withal in good humour and at the same time won his affections in comrade-like intercourse, but looked the enemy boldly in the face and joined issue with him at the proper time. He was not, as far as we can judge, a man of eminent military capacity; but the very respectable qualities which he possessed were quite sufficient under the existing circumstances to procure for him such a reputation, and by virtue of it he had taken his place in a fashion of unparalleled honour among the consulars and the triumphators. But he was none the better fitted on that account for the brilliant circle. His voice remained harsh and loud, and his look wild, as if he still saw before him Libyans or Cimbrians, and not well-bred and refined colleagues. That he was superstitious like a genuine soldier of fortune; that he was induced to become a candidate for his first consulship, not by the impulse of his talents, but primarily by the utterances of an Etruscan *haruspex*; and that in the campaign with the Teutones a Syrian prophetess Martha lent the aid of her oracles to the council of war,—these things were not, in the strict sense, unaristocratic: in such matters, then as at all times, the highest and lowest strata of society met. But the want of political culture was unpardonable; it was creditable, no doubt, that he had the skill to defeat the barbarians, but what was to be thought of a consul who was so ignorant of the rules of etiquette as to appear in triumphal costume in the senate! In other respects too the plebeian character clung to him. He was not merely—according to aristocratic phraseology—a poor man, but, what was worse, frugal and a declared enemy of all bribery and corruption. After the manner of soldiers he was not nice, but was fond of his cups, especially in his later years; he knew not the art of giving feasts, and kept a bad cook. It was likewise awkward that the consular understood nothing but Latin and had to decline conversing in Greek; that he felt the Greek plays wearisome might pass—he was probably not the only one who did so—but to confess his feeling of weariness was naïve. Thus he remained throughout life a countryman cast adrift among aristo-

crats, and annoyed by the keenly felt sarcasms and still more keenly felt sympathy of his colleagues, which he had not the self-command to despise as he despised themselves.

Marius stood aloof from parties not much less than from society. The measures which he carried in his tribunate of the people ($\frac{63}{119}$)—a better control over the delivery of the voting-tablets with a view to do away with the scandalous frauds that were therein practised, and the prevention of extravagant proposals for largesses to the people (p. 126)—do not bear the stamp of a party, least of all that of the democratic, but merely show that he hated what was unjust and irrational; and how could a man like this, a farmer by birth and a soldier by inclination, have been from the first a revolutionist? The hostile attacks of the aristocracy had no doubt driven him subsequently into the camp of the opponents of the government; and there he speedily found himself elevated in the first instance to be general of the opposition and destined perhaps for still higher things hereafter. But this was far more the effect of the stringent force of circumstances and of the general need which the opposition had for a chief, than his own work; he had at any rate since his departure for Africa in $\frac{64}{107}$ — $\frac{64}{107}$ hardly tarried in passing for a brief period in the capital.

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over the Cimbri, to celebrate his postponed triumph now with double honours—decidedly the first man in Rome, and yet at the same time a novice in politics. It was certain beyond dispute, not only that Marius had saved Rome, but that he was the only man who could have saved it; his name was on every one's lips; the nobles acknowledged his services; with the people he was more popular than any one before or after him, popular alike by his virtues and b

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were poured forth to him like the gods. It was no wonder that the head of the peasant's son grew giddy at times with all this glory; that he compared his march from Africa to Gaul to the victorious processions of Dionysus from continent to continent, and had a cup—none of the smallest—manufactured for his use after the model of that of Bacchus. There was just as much of hope as of gratitude in this delirious enthusiasm of the people, which might have led astray a man of colder blood and more mature political experience. The work of Marius seemed to his admirers by no means finished. The wretched government

oppressed the land more heavily than did the barbarians: on him, the first man of Rome, the favourite of the people, the head of the opposition, devolved the task of once more delivering Rome. It is true that to one who was a rustic and a soldier the political proceedings of the capital were strange and incongruous: he spoke as ill as he commanded well, and displayed a far firmer bearing in presence of the lances and swords of the enemy than in presence of the applause or hisses of the multitude; but his inclinations were of little moment. The hopes of which he was the object constrained him. His military and political position was such that, if he would not break with his glorious past, if he would not deceive the expectations of his party and in fact of the nation, if he would not be unfaithful to his own sense of duty, he must check the maladministration of public affairs and put an end to the government of the restoration; and if he only possessed the internal qualities of a head of the people, he might certainly dispense with those which he wanted as a popular leader.

He held in his hand a formidable weapon in the newly organised army. Previously to his time the fundamental principle of the Servian constitution—by which the levy was limited entirely to the burgesses possessed of property, and the distinctions in equipment were regulated solely by the property qualification (i. 91, 306)—had necessarily been in various respects relaxed. The minimum census of 11,000 *asses* (£43), which bound its possessor to enter the burgess-army, had been lowered to 4000 (£17; ii. 331). The earlier six property-classes, distinguished by their respective armaments, had been restricted to three; for, while in accordance with the Servian organisation they selected the cavalry from the wealthiest, and the light-armed from the poorest, of those liable to serve, they arranged the middle class, the proper infantry of the line, no longer according to property but according to duration of service, in the three divisions of *hastati*, *principes*, and *triarii*. They had, moreover, long ago brought the Italian allies to take part to a very great extent in war-service; but in their case too, just as among the Roman burgesses, military duty was chiefly imposed on the propertied classes. Nevertheless the Roman military system down to the time of Marius rested in the main on that primitive organisation of the civic militia. But it was no longer suited for the altered circumstances of the state. The better classes of society kept aloof more and more from service in the army, and the Roman and Italic middle class in general was disappearing;

while on the other hand the considerable military resources of the extra Italian allies and subjects had become available, and the Italian proletariat also, properly applied, afforded at least a very useful material for military objects. The burgess-cavalry (ii 301), which was meant to be formed from the class of the wealthy, had practically given up service in the field even before the time of Marius. It is last mentioned as an actual *corps d'armee* in the Spanish campaign of 614, when it drove the general to despair by its insolent arrogance and its insubordination, and a war broke out between the troopers and the general waged on both sides with equal want of principle. In the

of the legions with properly qualified persons bound to serve proved in the ordinary course of things difficult, so that exertions, such as were necessary after the battle of Arausio, would have been in all probability really impracticable with the retention of the existing rules as to the obligation of service. On the other hand even before the time of Marius, especially in the cavalry and the light infantry, extra Italian subjects—the heavy mounted troopers of Thrace, the light African cavalry, the excellent light infantry of the nimble Ligurians, the slingers from the Baleares—were employed in daily increasing numbers even beyond their own provinces for the Roman armies, and at the same time, while there was a want of qualified burgess recruits, the non qualified poorer burgesses pressed forward unbidden to enter the army, rabble without work or aversé

advantages which the Roman ment of volunteers could not be difficult. It was therefore simply a necessary consequence of the political and social changes in the state, that its military arrangements should exhibit a transition from the system of the burgess levy to the system of contingents and enlisting, that the cavalry and light troops should be mainly formed out of the contingents of the subjects—in the Cimbrian campaign, for instance, contingents were summoned from as far as Bithynia, and that in the case of the infantry of the line, while the former arrangement of obligation to service was not abolished, every free born burgess should at the same time be permitted voluntarily to enter the army, as was first done by Marius in 617.

To this was added the reducing the infantry of the line to a

level, which is likewise referable to Marius. The Roman method of aristocratic classification had hitherto prevailed also within the legion. Each of the four divisions of the *velites*, the *hastati*, the *principes*, and the *triarii*—or, as we may say, the advanced guard, the first, second, and third line—had hitherto possessed its special qualification as respected property or age for service and in great part also its own style of equipment; each had its definite place once for all assigned in the order of battle; each had its definite military rank and its own standard. All these distinctions were now superseded. Any one admitted as a legionary at all needed no further qualification in order to serve in any division; the discretion of the officers alone decided as to his place. All distinctions of armour were set aside, and consequently all recruits were uniformly trained. Connected, doubtless, with this change were the various improvements which Marius introduced in the armament, the carrying of the baggage, and similar matters, and which furnish an honourable evidence of his insight into the practical details of the business of war and of his care for his soldiers; and more especially the new method of drill devised by Publius Rutilius Rufus (consul 49 B.C.) the comrade of Marius in the African war. It is a significant fact, that this method considerably increased the military culture of the individual soldier and was essentially based upon the training of the future gladiators which was usual in the fighting-schools of the time. The arrangement of the legion became totally different. The thirty companies (*manipuli*) of heavy infantry, which—each in two sections (*centuriæ*) composed respectively of sixty men in the two first, and of thirty men in the third, division—had hitherto formed the tactical unit, were replaced by ten cohorts (*cohortes*) each with its own standard and each of six, or often only of five, sections of one hundred men apiece; so that, although at the same time 1200 men were saved by the suppression of the light infantry of the legion, yet the total numbers of the legion were raised from 4200 to 6000 men. The custom of fighting in three divisions was retained, but, while previously each division had formed a distinct *corps*, it was in future left to the general to distribute the cohorts of which he had the disposal in the three lines as he thought best. Military rank was determined solely by the numerical order of the soldiers and of the divisions. The four standards of the several parts of the legion—the wolf, the ox with a man's head, the horse, the boar—which had hitherto probably been carried before the cavalry and the three divisions c

disappeared, there remained only the ensigns of the new cohorts, and the new standard which Marius gave to the legion as a whole—the silver eagle. Within the legion every trace of the previous civic and aristocratic classification thus disappeared, and the only distinctions henceforth occurring among the legionaries were purely military, but accidental circumstances had some thirty years before this given rise to a privileged division of the army alongside of the legions—the body guard of the general. It is traceable to the Numantine war, in which Scipio Aemilianus, not furnished by the government with new troops as he desired, and compelled in presence of an utterly unruly soldiery to have a care of his personal safety, had formed out of volunteers a band of 500 men, and had afterwards received into it by way of reward his ablest soldiers (p. 16). This cohort, called that of the friends or more usually that of the head quarters (*prætoriani*), had the duty of serving at head quarters (*prætorium*), in consideration of which it was exempt from encamping and entrenching service, and enjoyed higher pay and greater repute.

This complete revolution in the constitution of the Roman army seems certainly in substance to have originated not in political, but in military motives, and to have been not so much the work of an individual, least of all of a man of calculating ambition, as the remodelling which the force of circumstances enjoined in institutions which had become untenable. It is probable that the introduction of the system of inland enlistment by Marius saved the state in a military point of view from destruction, just as several centuries afterwards Arbogast and Stilicho prolonged its existence for a time by the introduction of foreign enlistment. Nevertheless, it involved a complete—although not yet developed—political revolution. The republican constitution was essentially based on the view that the citizen was also a soldier, and that the soldier was above all a citizen, it was at an end, so soon as a soldier-class was formed. To this issue the new system of drill, with its routine borrowed from the professional gladiator, necessarily led, the military service became gradually a profession. Far more rapid was the effect of the admission—though but limited—of the proletariat

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 soldier a sort of title to demand from the general a share of the
 movable spoil and from the state a portion of the soil that had

been won. While the burgess or farmer called out under the levy saw in military service nothing but a burden to be undertaken for the public good, and in the gains of war nothing but a slight compensation for the far more considerable loss brought upon him by serving, it was otherwise with the enlisted proletarian. Not only was he for the moment solely dependent upon his pay, but, as there was no Hôtel des Invalides nor even a poorhouse to receive him after his discharge, he necessarily desired for the future also to abide by his standard, and not to leave it otherwise than with the establishment of his civic status. His only home was the camp, his only science war, his only hope the general—what this implied, is clear. When Marius after the engagement on the Raudine plain unconstitutionally gave Roman citizenship on the very field of battle to two cohorts of Italian allies in a body for their brave conduct, he justified himself afterwards by saying that amidst the noise of battle he had not been able to distinguish the voice of the laws. If once in more important questions the interest of the army and that of the general should concur to produce unconstitutional demands, who could be security that then other laws also would not cease to be heard amid the clashing of swords? They had now the standing army, the soldier-class, the body-guard; as in the civil constitution, so also in the military, all the pillars of the future monarchy were already in existence: the monarch alone was wanting. When the twelve eagles circled round the Palatine hill, they ushered in the Kings; the new eagle which Gaius Marius bestowed on the legions proclaimed the advent of the Emperors.

There is hardly any doubt that Marius entered into the brilliant prospects which his military and political position opened up to him. It was a sad and troubled time. Men had peace, but they did not profit by peace; the state of things was not now such as it had formerly been after the first mighty onset of the northern peoples on Rome, when, so soon as the crisis was over, all energies were roused anew in the fresh consciousness of recovered health and had by their vigorous development rapidly and amply made up for what was lost. Every one felt that, though able generals might still once and again avert immediate destruction, the commonwealth was only the more surely on the way to ruin under the government of the restored oligarchy; but every one felt also that the time was past when in such cases the burgess-body provided its own redress, and that there was no amendment so long as the of Gaius.

Gracchus remained empty. How deeply the multitude felt the blank that was left after the disappearance of those two illustrious youths who had opened the gates to revolution, and how childish in fact it grasped at any shadow of a substitute, was shown by the case of the pretended son of Tiberius Gracchus, who, although the very sister of the two Gracchi charged him with fraud in the open Forum, was yet chosen by the people in ⁶⁹⁵as tribune solely on account of his usurped name. In the same spirit the multitude exulted in the presence of Gaius Marius, how should it not? He, if any one, seemed the proper man—he was at any rate the first general and the most popular name of his time, confessedly brave and upright, and recommended as regenerator of the state by his very position aloof from the struggles of party—how should not the people, how should not he himself, have deemed that he was so! Public opinion as decidedly as possible favoured the opposition. It was a significant indication of this, that the proposal to have the vacant stalls in the chief priestly colleges filled up by the burgesses instead of the colleges themselves—which the government had frustrated in the comitia in ⁶⁹⁴by the suggestion of religious scruples—was carried in ⁶⁹⁴by Gnaeus Domitius without the senate having been able even to venture a serious resistance. On the whole it seemed as if nothing was wanted but a chief, who should give to the opposition a firm rallying point and a practical aim, and this was now found in Marius.

For the execution of his task two methods of operation were open, Marius might attempt to overthrow the oligarchy either as *imperator* at the head of the army, or in the mode prescribed by the constitution for constitutional changes. His own past career pointed to the former course, the precedent of Gracchus to the latter.

And why he did not adopt the former the possibility of adopting it the former was powerless and helpless, so hated and despised, that he conceived himself scarcely to need any other support in opposing it than his immense popularity, but hoped in case of necessity to find such support in the dissolution of the army, in the their rewards. It is probable

easy and apparently almost complete victory with resources far surpassing those of Gracchus, deemed the overthrow of a constitution four hundred years old, and intimately bound up with the various habits and interests of the body politic arranged in a com

plicated hierarchy, a far easier task than it was. But any one, who looked more deeply into the difficulties of the enterprise than Marius probably did, might reflect that the army, although in the course of transition from a militia to a body of mercenaries, was still during this state of transition by no means adapted for the blind instrument of a *coup d'état*, and that an attempt to set aside the resisting elements by military means would have probably increased the power of resistance in his antagonists. To mix up the organised armed force in the struggle could not but appear at the first glance superfluous and at the second hazardous; they were just at the beginning of the crisis, and the antagonistic elements were still far from having reached their last, shortest, and simplest expression.

Marius therefore discharged the army after his triumph in accordance with the existing regulation, and entered on the course traced out by Gaius Gracchus for procuring supremacy in the state by taking upon himself its constitutional magistracies. In this enterprise he found himself dependent for support on what was called the popular party, and sought his allies in its leaders for the time being all the more, that the victorious general by no means possessed the gifts and experiences requisite for the command of the streets. Thus the democratic party after long insignificance suddenly regained political importance. It had, in the long interval from Gaius Gracchus to Marius, materially deteriorated. The dissatisfaction with the senatorial government was not now perhaps less than it was then; but several of the hopes, which had brought to the Gracchi their most faithful adherents, had in the meanwhile been recognised as illusory, and there had sprung up in many minds a misgiving that this Gracchan agitation tended towards an issue whither a very large portion of the discontented were by no means willing to follow it. In fact, amidst the chase and turmoil of twenty years there had been rubbed off and worn away very much of the fresh enthusiasm, the steadfast faith, the moral purity of effort, which mark the early stages of revolutions. But, if the democratic party was no longer what it had been under Gaius Gracchus, the leaders of the intervening period were now as far beneath their party as Gaius Gracchus had been exalted above it. This was implied in the nature of the case. Until there should emerge a man having the boldness like Gaius Gracchus to grasp at the supremacy of the state, the leaders could only be stop-gaps: either political novices, who gave furious vent to their youthful love of opposition and

when duly accredited as fiery declaimers and favourite speakers, effected with more or less dexterity their retreat to the camp of the government party, or people who had nothing to lose in respect of property and influence and little usually either to gain or lose in respect of honour, and who made it their business to obstruct and annoy the government from personal exasperation or from the mere pleasure of creating a noise. To the

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time were men of the second sort. Glaucia, called by Cicero the Roman Hyperbolus, a vulgar fellow of the lowest origin and of the most shameless street eloquence, but effective and even dreaded by reason of his pungent wit, and his better and abler associate, Lucius Appuleius Saturninus, who even according to the accounts of his enemies was a fiery and impressive speaker, and was at least not guided by motives of vulgar selfishness. When he was quaestor, the charge of the importation of corn which had fallen to him in the usual way had been withdrawn from him by decree of the senate, not so much perhaps on account of maladministration, as in order to confer this—just at that time popular—office on one of the heads of the government party, Marcus Scaurus, rather than upon an unknown young man belonging to none of the ruling families. This mortification had driven the aspiring and sensitive man into the ranks of the opposition, and as tribune of the people in 65 B.C. he repaid what he had received with interest. One scandalous affair had then followed hard upon another. He had spoken in the open market of the bribes practised in Rome by the envoys of king Mithradates—these revelations, compromising in the highest degree the senate, had well nigh cost the bold tribune his life. He had excited a tumult against the conqueror of Numidia, Quintus Metellus, when he was a candidate for the censorship in 66 B.C., and kept him besieged in the Capitol till the equites liberated him not without bloodshed, the retaliatory measure of the censor Metellus—the expulsion with infamy of Saturninus and of Glaucia from the senate on occasion of the revision of the senatorial roll—had only miscarried through the remissness of the colleague assigned to Metellus. Saturninus mainly had carried that exceptional commission against Caepio and his

associates (p. 175) in spite of the vehement resistance of the government-party; and in opposition to the same he had carried the keenly contested re-election of Marius as consul for $\frac{652}{102}$. Saturninus was decidedly the most energetic enemy of the senate and the most active and eloquent leader of the popular party since Gaius Gracchus; but he was also violent and unscrupulous beyond any of his predecessors, always ready to descend into the street and to refute his antagonist with blows instead of words.

Such were the two leaders of the so-called popular party, who now made common cause with the victorious general. It was natural that they should do so; their interests and aims coincided, and even in the earlier candidatures of Marius, Saturninus at least had most decidedly and most effectively taken his side. It was agreed between them that for $\frac{654}{100}$ Marius should become a candidate for a sixth consulship, Saturninus for a second tribunate, Glaucia for the praetorship, in order that, possessed of these offices, they might carry out the intended revolution in the state. The senate acquiesced in the nomination of the less dangerous Glaucia but did what it could to hinder the election of Marius and Saturninus, or at least to associate with the former a determined antagonist in the person of Quintus Metellus as his colleague in the consulship. All appliances, lawful and unlawful, were put in motion by both parties; but the senate was not successful in arresting the dangerous conspiracy in the bud. Marius did not disdain in person to solicit votes and, it was said, even to purchase them; in fact, at the tribunician elections when nine men from the list of the government-party were proclaimed, and the tenth place seemed already secured for a respectable man of the same complexion Quintus Nupnius, the latter was set upon and slain by a savage band, which is said to have been mainly composed of discharged soldiers of Marius. Thus the conspirators gained their object, although by the most violent means. Marius was chosen as consul, Glaucia as praetor, Saturninus as tribune of the people for $\frac{654}{100}$; the second consular place was obtained not by Quintus Metellus, but by an insignificant man, Lucius Valerius Flaccus: the confederates might proceed to put into execution the further schemes which they contemplated and to complete the work broken off in $\frac{633}{31}$.

Let us recall the objects which Gaius Gracchus pursued, and the means by which he pursued them. His object was to break down the oligarchy within and without. He aimed, on the one

hand, to restore the power of the magistrates which had become completely dependent on the senate to its original sovereign rights, and to reconvert the senatorial assembly from a governing into a deliberative board, and, on the other hand, to put an end to the aristocratic division of the state into the three classes of the ruling burgesses, the Italian allies, and the subjects, by the gradual equalisation of those distinctions which were incompatible with a government not oligarchical. These ideas the three confederates revived in the colonial laws, which Saturninus as tribune of the people had partly introduced already ($\frac{181}{103}$), partly now introduced ($\frac{184}{106}$).¹ As early as the former year the interrupted distribution of the Carthaginian territory had been resumed primarily for the benefit of the soldiers of Marius—not the burgesses only but, as it would seem, also the Italian allies—and each of these veterans had been promised an allotment of 100 *iugera*, or about five times the size of an ordinary Italian farm, in the province of Africa. Now not only was the provincial land already available claimed in its widest extent for the Romano-Italian emigration, but also all the land of the still independent Celtic tribes beyond the Alps, by virtue of the legal fiction that through the conquest of the Cimbri all the territory occupied by these had been acquired *de jure* by the Romans. Gaius Marius was called to conduct the assignments of land and the farther measures that might appear necessary in this behalf, and the temple treasures of Tolosa which had been embezzled but were refunded or had still to be refunded by the guilty aristocrats, were destined for the new recipients of lands. This law therefore not only revived the plans of conquest beyond the Alps and the projects of Transalpine and transmarine colonisation, which Gaius Gracchus and Tiberius had sketched on the most extensive scale, but, by admitting the Italians along with the Romans to emigration and yet undoubtedly prescribing the erection of all the new communities as burgess colonies, it formed a first step towards satisfying the claims—to which it was so difficult to give effect,

what belongs to the first and the more especially, has tendencies. The *De Veris* III 73 ion which had taken The second agrarian

law belongs beyond doubt to 180 and the corn law have been only conjecturally placed, the former in $\frac{181}{103}$ (p. 173), the latter in $\frac{184}{106}$

and which yet could not be in the long run refused--of the Italians to be placed on an equality with the Romans. First of all, however, if the law passed and Marius was called to the independent carrying out of these immense schemes of conquest and assignation, he would become practically--until those plans should be realised or rather, considering their indefinite and unlimited character, for his lifetime--monarch of Rome; with which view it may be presumed that Marius intended to have his consulship annually renewed, like the tribunate of Gracchus. But, amidst the agreement of the political positions marked out for the younger Gracchus and for Marius in all other essential particulars, there was yet a very material distinction between the land-assigning tribune and the land-assigning consul in the fact, that the former was to occupy a purely civil position, the latter a military position as well; a distinction, which partly but by no means solely arose out of the personal circumstances under which the two men had risen to the head of the state.

While such was the nature of the aim which Marius and his comrades had proposed to themselves, the next question related to the means by which they purposed to break down the resistance--that might be anticipated to be obstinate--of the government party. Gaius Gracchus had fought his battles with the aid of the capitalist class and the proletariat. His successors did not neglect to make advances likewise to these. The equites were not only left in possession of the tribunals, but their power as jurymen was considerably increased, partly by a stricter ordinance regarding the standing commission--especially important to the merchants--as to extortions on the part of the public magistrates in the provinces, which Glaucia carried probably in this year, partly by the special tribunal, appointed doubtless as early as $\frac{61}{103}$ on the proposal of Saturninus, respecting the embezzlements and other official malversations that had occurred during the Cimbrian commotion in Gaul. For the benefit, moreover, of the proletariat of the capital the sum below cost price, which hitherto had to be paid on occasion of the distributions of grain for the *modius*, was lowered from $6\frac{1}{2}$ *asses* to a mere nominal charge of $\frac{5}{8}$ of an *as*. But although they did not despise the alliance with the equites and the proletariat of the capital, the real power by which the confederates enforced their measures lay not in these, but in the discharged soldiers of the Marian army, who for that very reason had been provided for in the colonial laws themselves after so extravagant

a fashion. In this also was evinced the predominating military character, which forms the chief distinction between this attempt at revolution and that which preceded it.

They went to work accordingly. The corn and colonial laws encountered, as was to be expected, the keenest opposition from the government. They proved in the senate by striking figures, that the former must make the public treasury bankrupt; Saturninus did not trouble himself about that. They brought tribunician intercession to bear against both laws; Saturninus ordered the voting to go on. They informed the magistrates presiding at the voting that a peal of thunder had been heard, a portent by which according to ancient belief the gods enjoined the dismissal of the public assembly; Saturninus remarked to the messengers that the senate would do well to keep quiet, otherwise the thunder might very easily be followed by hail. Lastly the urban quaestor, Quintus Caepio, the son, it may be presumed, of the general condemned three years before,¹ and like his father a vehement antagonist of the popular party, with a band of devoted partisans dispersed the comitia by violence. But the hardy soldiers of Marius, who had flocked in crowds to Rome to vote on this occasion, quickly rallied and dispersed the city bands, and on the voting ground thus reconquered the vote on the Appuleian laws was successfully brought to an end. The scandal was grievous; but when it came to the question whether the senate would comply with the clause of the law that within five days after its passing every senator should on pain of forfeiting his senatorial seat take an oath faithfully to

the ablest man among their opponents removed from the state by voluntary banishment.

Their object seemed to be attained; but even now to those who saw more clearly the enterprise could not appear other than a failure. The cause of the failure lay mainly in the awkward alliance between a politically incapable general and a

¹ All indications point to this conclusion. The elder Quintus Caepio was consul in $\frac{648}{106}$, the younger quaestor in $\frac{651}{103}$ or $\frac{654}{100}$, the former consequently was born about or before $\frac{604}{149}$, the latter about $\frac{624}{130}$ or $\frac{627}{127}$. The fact that the former died without leaving sons (Strabo, iv. 188) is not inconsistent with this view, for the younger Caepio fell in $\frac{604}{96}$, and the elder, who ended his life in exile at Smyrna, may very well have survived him.

street-demagogue, able but recklessly violent, and filled with passion rather than with the aims of a statesman. They had agreed excellently, so long as the question related to their plans alone. But when the plans came to be executed, it was very soon apparent that the celebrated general was in politics a mere incapable; that his ambition was that of the farmer who would cope with and, if possible, surpass the aristocrats in titles, and not that of the statesman who desires to govern because he feels within him the power to do so; that every enterprise, which was based on his personal standing as a politician, must necessarily even under the most favourable circumstances be ruined by himself.

He knew neither the art of gaining his antagonists, nor that of keeping his own party in subjection. The opposition against him and his comrades was even of itself sufficiently considerable; for not only did the government party belong to it in a body, but also a great part of the burgesses, who guarded with jealous eyes their exclusive privileges against the Italians; and by the course which things took the whole class of the wealthy was also driven over to the government. Saturninus and Glaucia were from the first masters and servants of the proletariat and therefore not at all on a good footing with the moneyed aristocracy, which had no objection now and then to check the senate by means of the rabble, but had no liking for street-riots and violent outrages. As early as the first tribunate of Saturninus his armed bands had their skirmishes with the equites; the vehement opposition which his election as tribune for $\frac{95}{106}$ encountered shows clearly how small was the party favourable to him. It should have been the endeavour of Marius to avail himself of the dangerous help of such associates only in moderation, and to convince all and sundry that they were destined not to rule, but to serve him as their ruler. As he did precisely the contrary, and the matter came to look quite as if the object was to place the government in the hands not of an intelligent and vigorous master, but of the mere *canaille*, the men of material interests, terrified to death at the prospect of such confusion, again attached themselves closely to the senate in presence of this common danger. While Gaius Gracchus, clearly perceiving that no government could be overthrown by means of the proletariat alone, had especially sought to gain over to his side the propertied classes, those who desired to continue his work began by producing a reconciliation between the aristocracy and the *bourgeoisie*.

But the ruin of the enterprise was brought about, still more rapidly than by this reconciliation of enemies, through the dissension which the more than ambiguous behaviour of Marius necessarily produced among its promoters. While the decisive proposals were brought forward by his associates and carried after a struggle by his soldiers, Marius maintained an attitude wholly passive, as if the political leader was not bound quite as much as the military, when the brunt of battle came, to present himself everywhere and foremost in person. Nor was this all, he was terrified at, and fled from the presence of, the spirits which he had himself evoked. When his associates resorted to expedients which an honourable man could not approve, but without which in fact the object of their efforts could not be attained, he attempted, in the fashion usual with men whose ideas of political morality are confused, to wash his hands of participation in those crimes and at the same time to profit by their results. There is a story that the general once conducted secret negotiations in two different apartments of his house, with Saturninus and his partisans in the one, and with the former of his associates in the other. Marius was in

keeping with the anxiety of the situation he went to and fro between the two conferences—a story as certainly invented, and as certainly appropriate, as any incident in Aristophanes. The ambiguous attitude of Marius became notorious in the question of the oath. At first he seemed as though he would himself refuse the oath required by the Appuleian laws on account of the informalities that had occurred at their passing, and then swore it with the reservation, “so far as the laws were really valid,” a reservation which annulled the oath itself, and which of course all the senators likewise adopted in swearing, so that by this mode of taking the oath the validity of the laws was not secured, but on the contrary was for the first time really called in question.

The consequences of this behaviour—stupid beyond parallel—on the part of the celebrated general soon developed themselves. Saturninus and Glaucia had not undertaken the revolution and procured for Marius the supremacy of the state, in order that they might be disowned and sacrificed by him, if Glaucia, the favourite jester of the people, had hitherto lavished on Marius the gayest flowers of his jovial eloquence, the garlands which he now wove for him were by no means redolent of roses.

and violets. A total rupture took place, by which both parties were lost; for Marius had not a footing sufficiently firm singly to maintain the colonial law which he had himself called in question and to possess himself of the position which it assigned to him, nor were Saturninus and Glaucia in a condition to continue on their own account the work which Marius had begun.

But the two demagogues were so compromised that they could not recede; they had no alternative save to resign their offices in the usual way and thereby to deliver themselves with their hands bound to their exasperated opponents, or now to grasp the sceptre for themselves, although they felt that they could not bear its weight. They resolved on the latter course; Saturninus would come forward once more as a candidate for the tribunate of the people for $\frac{6}{11}$ $\frac{5}{11}$, Glaucia, although prætor and not eligible for the consulship till two years had elapsed, would become a candidate for the latter. In fact the tribunician elections were decided thoroughly to their mind, and the attempt of Marius to prevent the spurious Tiberius Gracchus from soliciting the tribuneship served only to show the celebrated man what was now the worth of his popularity; the multitude broke the doors of the prison in which Gracchus was confined, bore him in triumph through the streets, and elected him by a great majority as their tribune. Saturninus and Glaucia sought to control the more important consular election by the expedient for the removal of inconvenient competitors which had been tried in the previous year; the counter-candidate of the government-party, Gaius Memmius—the same who eleven years before had led the opposition against them (p. 140)—was suddenly assailed by a band of ruffians and beaten to death. But the government-party had only waited for a striking event of this sort in order to employ force. The senate required the consul Gaius Marius to interfere, and the latter in reality professed his readiness now to draw, in behalf of the conservative party, the sword which he had obtained from the democracy and had promised to wield in its favour. The young men were hastily called out, equipped with arms from the public buildings, and drawn up in military array; the senate itself appeared under arms in the Forum, with its venerable chief Marcus Scaurus at its head. The opposite party were perhaps superior in a street-riot, but were not prepared for such an attack; they had to defend themselves as they could. They broke open the doors of the prisons, and called the slaves to liberty and to arms; they proclaimed—so it was at an

rate—Saturninus as king or general, on the day when the new tribunes of the people had to enter on their office, the 10th of December {64}, a battle occurred in the great market place—the first which had ever been fought within the walls of the capital. The issue was not for a moment doubtful. The Populares were beaten and driven up to the Capitol, where the supply of water was cut off from them and they were thus compelled to surrender. Marius who held the chief command, would gladly have saved the lives of his former allies who were now his prisoners, Saturninus proclaimed to the multitude that all which he had proposed had been done in concert with the consul—even a worse man than Marius was could not but shudder at the inglorious part which he played on this day. But he had long ceased to be master of affairs. Without orders the young nobles climbed the roof of the senate house in the Forum where the prisoners were temporarily confined, stripped off the tiles, and with these stoned their victims. Thus Saturninus perished with most of the more notable prisoners. Glaucia was found in a lurking place and likewise put to death. Without trial or sentence there died on this day four magistrates of the Roman people—a praetor, a quaestor, and two tribunes of the people—and a number of other well known men, some of whom belonged to good families. In spite of the grave faults by which the chiefs had invited on themselves this bloody retribution, we may nevertheless lament them. They fell like advanced posts, which are left unsupported by the main army and are forced to perish without object in a conflict of despair.

helped the government to its victory. A more pitiful position can hardly be conceived than that occupied by the hero of Aquae and Vercellae after such a downfall—all the more pitiful, because people could not but compare it with the *éclat* which only a few months before surrounded the same man. No one either on the aristocratic or the democratic side any longer thought of the victorious general on occasion of filling up the magistracies; the hero of six consulships could not even venture to become a candidate in $\frac{656}{98}$ for the censorship. He went away to the East, ostensibly for the purpose of fulfilling a vow there, but in reality that he might not be a witness of the triumphant return of his mortal foe Quintus Metellus; he was suffered to go. He returned and opened his house; his halls stood empty. He always hoped that conflicts and battles would occur and that the people would once more need his experienced arm; he thought to provide himself with an opportunity for war in the East, where the Romans might certainly have found sufficient occasion for energetic interference. But this also miscarried, like every other of his wishes; profound peace continued to prevail. Yet the longing after honours once aroused within him, the oftener it was disappointed, ate the more deeply into his mind. Superstitious as he was, he cherished in his breast an old oracular saying which had promised him seven consulships, and in gloomy meditation brooded over the means by which this utterance was to obtain its fulfilment and he to obtain his revenge, while he appeared to all, himself alone excepted, insignificant and innocuous.

Still more important in its consequences than the setting aside of the dangerous man was the deep exasperation against the *Populares*, as they were called, which the insurrection of Saturninus left behind in the party of material interests. With the most remorseless severity the equestrian tribunals condemned every one who professed oppositional views; Sextus Titius, for instance, was condemned not so much on account of his agrarian law as because he had in his house a statue of Saturninus; Gaius Appuleius Decianus was condemned, because he had as tribune of the people characterised the proceedings against Saturninus as illegal. Even for earlier injuries inflicted by the *Populares* on the aristocracy satisfaction was now demanded, not without prospect of success, before the equestrian tribunals. Because Gaius Norbanus had eight years previously in concert with Saturninus driven the consular Quintus Caepio into exile (p. 175) he was now ($\frac{659}{95}$) under his own law accused of high

treason, and the jurymen hesitated long—not whether the accused was guilty or innocent, but whether his ally Saturninus or his enemy Caepio was to be regarded as the more deserving of their hate—till at last they decided for acquittal. Even if people were not more favourably disposed towards the government in itself than before, yet, after having found themselves, although but for a moment, on the verge of a real mob-rule, all men who had anything to lose could not but look on the existing government in a different light, it was notoriously wretched and pernicious for the state, but the anxious dread of the still more wretched and still more pernicious government of the proletariat had conferred on it a relative value. The current now set so much in that direction that the multitude tore in pieces a tribune of the people who had ventured to postpone the return of Quintus Metellus, and the democrats began to seek their safety in league with murderers and poisoners—ridding themselves, for example, of the hated Metellus by poison—or even in league with the public enemy, several of them already taking refuge at the court of king Mithradates who was secretly preparing for war against Rome. External relations also assumed an aspect favourable for the government. The Roman arms were employed but little in the period from the Cimbrian to the Social war, but everywhere with honour. The only serious conflict was in Spain, where, during the recent years so trying for Rome (⁶⁴⁹~~108~~ *seq*) the Lusitanians and Celtiberians had risen with unwonted vehemence against the Romans. In the years ⁶⁵⁶~~98~~—⁶⁶¹~~93~~ the consul Titus Didius in the northern and the consul Publius Crassus in the southern province not only re-established with valour and good fortune the ascendancy of the Roman arms, but also razed the refractory towns and, where it seemed necessary, transplanted the population of the strong towns among the mountains to the plains. We shall show in the sequel that about the same time the Roman government again directed its attention to the East which had been for a generation neglected and displayed greater energy than had been heard of for long in Cyrene, Syria, and Asia Minor. Never since the commencement of the revolution had the government of the laws been so firmly established or so popular. Consular laws were substituted for tribunician, restrictions on liberty replaced measures of progress. The cancelling of the laws of Saturninus was a matter of course, the transmarine colonies of Marius disappeared down to a single petty settlement on the barbarous island of Corsica. When the tribune of the people

Sextus Titius—a caricatured Alcibiades, who was greater in dancing and ball-playing than in politics, and whose most eminent talent consisted in breaking the images of the gods in the streets at night—re-introduced and carried the Appuleian agrarian law in ⁶⁵₆₆, the senate was able to annul the new law on a religious pretext without any one even attempting to defend it; the author of it was punished, as we have already mentioned, by the equites in their tribunals. Next year (⁶⁶₆₇) a law brought in by the two consuls made the usual seven days' interval between the introduction and the passing of a project of law obligatory, and forbade the combination of several enactments different in their nature in one proposal; by which means the unreasonable extent of the initiative power in legislation was at least somewhat restricted, and the government was prevented from being openly taken by surprise with new laws. It became daily more evident that the Gracchan constitution, which had survived the fall of its author, was now, since the multitude and the moneyed aristocracy no longer went together, tottering to its foundations. As that constitution had been based on division in the ranks of the aristocracy, so it seemed that dissensions in the ranks of the opposition could not fail to bring about its fall. Now, if ever, the time had come for completing the unfinished work of restoration of ⁶⁷₆₈, for making the Gracchan constitution share the fate of the tyrant, and for replacing the governing oligarchy in the sole possession of political power.

Everything depended on recovering the nomination of the jurymen. The administration of the provinces—the chief foundation of the senatorial government—had become dependent on the jury courts, more particularly on the commission regarding exactions, to such a degree that the governor of a province seemed to administer it no longer for the senate, but for the order of capitalists and merchants. Ready as the moneyed aristocracy always was to meet the government when measures against the democrats were in question, it sternly resented every attempt to restrict it in this its well-acquired right of unlimited sway in the provinces. Several such attempts were now made; the governing aristocracy began again to feel its strength, and its very best men reckoned themselves bound, at least for their own part, to oppose the dreadful maladministration in the provinces. The most resolute in this respect was Quintus Mucius Scaevola, like his father Publius *pontifex maximus* and in ⁶⁸₆₉ consul, the foremost jurist and one of the

most excellent men of his time As praetorian governor (about 65 B.C.) of Asia, the richest and worst abused of all the provinces he—in concert with his older friend, distinguished as an officer, the consular Publius Rutilius Rufus—set

and state lessees to give him peace injuries, but, when some of their most important and most unscrupulous agents were found guilty of crimes deserving death, deaf to all offers of bribery he ordered them to be duly crucified The senate approved his conduct, and even made it an instruction afterwards to the governors of Asia that they should take as their model the principles of Scaevola's administration, but the equites, although they did not venture to meddle with that high aristocratic and influential statesman himself, brought to trial his associates and ultimately (about 62 B.C.) even the most considerable of them, his legate Publius Rufus, who was defended only by his merits and recognised integrity, not by family connection The charge that such a man had allowed himself to perpetrate exactions in Asia, almost broke down under its own absurdity and under the infamy of the accuser, one Apicius, yet the welcome opportunity of humbling the consular was not

lost when the latter, disdaining false rhetoric, simply, and sovereignly moderate property was confiscated to satisfy fictitious claims for compensation The condemned resorted to the province which he had there welcomed by all the

And this disgraceful case was by no means the only case of the sort The senate exasperated, not so much perhaps by such an abuse of the consular power as by the class walk but of new nobility, he ity years of age was brought to trial according to aristocratic notions, even if he were guilty The office of accuser began to be exercised professionally by worthless fellows, and

neither irreproachable character, nor rank, nor age longer furnished protection from the most wicked and most dangerous attacks. The commission regarding exactions was converted from a shield of the provincials into their worst scourge; the most notorious robber escaped with impunity, if he only indulged his fellow-robbers and did not refuse to allow part of the sums exacted to reach the jury; *but any attempt to respond to the equitable demands of the provincials for right and justice sufficed for condemnation.* It seemed as if the intention was to bring the Roman government into the same dependence on the controlling court, as that in which the college of judges at Carthage had formerly kept the council there. The prescient expression of Gaius Gracchus was finding fearful fulfilment, that with the dagger of his law as to the juries the nobility would lacerate their own flesh.

An attack on the equestrian courts was inevitable. Every one in the government party who was still alive to the fact that governing implied not merely rights but also duties, every one in fact who still felt any nobler or prouder ambition within him, could not but rise in revolt against this oppressive and disgraceful political control, which precluded any possibility of upright administration. The scandalous condemnation of Rutilius Rufus seemed a summons to begin the attack at once, and Marcus Livius Drusus, who was tribune of the people in $\frac{66}{91}3$, regarded that summons as specially addressed to himself. Son of the man of the same name, who thirty years before had primarily caused the overthrow of Gaius Gracchus (p. 117) and had afterwards made himself a name as an officer by the subjugation of the Scordisci (p. 167), Drusus was, like his father, of strictly conservative views, and had already given practical proof that such were his sentiments in the insurrection of Saturninus. He belonged to the circle of the highest nobility, and was the possessor of a colossal fortune; in disposition too he was a genuine aristocrat—a man emphatically proud, who scorned to bedeck himself with the insignia of his offices, but declared on his death-bed that there would not soon arise a citizen like him; a man with whom the beautiful saying, that nobility constitutes obligation, was and continued to be the rule of his life. With all the vehement earnestness of his temperament he had turned away from the frivolity and venality that marked the nobles of the common stamp; trustworthy and strict in morals, he was respected rather than properly beloved on the part of the common people, to whom his door and his

purse were always open, and notwithstanding his youth, he was through the personal dignity of his character a man of weight in the senate as in the Forum. Nor did he stand alone. Marcus Scaurus had the courage on occasion of his defence in his trial for extortion publicly to summon Drusus to undertake a reform of the judicial arrangements; he and the famous orator, Lucius Crassus, were in the senate the most zealous champions of his proposals, and were perhaps associated with him in originating them. But the mass of the governing aristocracy was by no means of the same mind with Drusus, Scaurus, and Crassus. There were not wanting in the senate decided adherents of the capitalist party, among whom in particular a conspicuous place belonged to the consul of the day, Lucius Marcius Philippus, who maintained the cause of the equestrian order as he had formerly maintained that of the democracy (p. 130) with zeal and prudence, and to the daring and reckless Quintus Caepio, who

aristocracy, who no doubt would have preferred to plunder the provinces alone, but in the end had not much objection to share the spoil with the equites, and, instead of taking in hand the grave and perilous struggle against the haughty capitalists, reckoned it far more equitable and easy to purchase impunity at their hands by fair words and by an occasional prostration

desired end.

Drusus drew up a proposal to withdraw the functions of jurymen from the burgesses of equestrian rating and to restore them to the senate, which at the same time was to be put in a position to meet its increased obligations by the admission of 300 new members; a special criminal commission was to be appointed for pronouncing judgment in the case of those jurymen who had been or should be guilty of accepting bribes. By this means the capitalists were deprived

were rendered responsible
the proposals and designs
of Drusus were by no means limited to this; his projects were not measures adapted merely for the occasion, but a comprehensive and thoroughly considered plan of reform. He proposed, moreover, to increase the largesses of grain and to cover the

increased expense by the permanent issue of a proportional number of copper, placed alongside of the silver, *denarii*; and then to set apart all the still undisturbed arable land of Italy—thus including in particular the Campanian domains—and the best part of Sicily for the settlement of burgess-colonists. Lastly, he entered into the most distinct obligations towards the Italian allies to procure for them the Roman franchise. Thus the very same supports of power and the very same ideas of reform, on which the constitution of Gaius Gracchus had rested, presented themselves now on the side of the aristocracy—a singular, and yet easily intelligible coincidence. It was only to be expected that, as the *tyrannis* had rested for its support against the oligarchy, so the latter should rest for its support against the moneyed aristocracy, on the paid and in some degree organised proletariat; while the government had formerly accepted the feeding of the proletariat at the expense of the state as an inevitable evil, Drusus now thought of employing it, at least for the moment, against the moneyed aristocracy. It was only to be expected that the better part of the aristocracy, just as it formerly consented to the agrarian law of Tiberius Gracchus, would now readily consent to all those measures of reform, which, without touching the question of a supreme head, only aimed at the cure of the old evils of the state. In the question of emigration and colonisation, it is true, they could not go so far as the democracy, since the power of the oligarchy mainly rested on their free control over the provinces and was endangered by any permanent military command; the ideas of equalising Italy and the provinces and of making conquests beyond the Alps were not compatible with conservative principles. But the senate might very well sacrifice the Latin and even the Campanian domains as well as Sicily in order to raise the Italian farmer class, and yet retain the government as before; to which fell to be added the consideration, that they could not more effectually obviate future agitations than by providing that all the land at all disposable should be brought to distribution by the aristocracy itself, and that according to Drusus' own expression, nothing should be left for future demagogues to distribute but "the dirt and the daylight." In like manner it was for the government—whether that might be a monarch, or a close number of ruling families—very much a matter of indifference whether the half or the whole of Italy possessed the Roman franchise; and hence the reforming men on both sides probably could not but coincide in the idea of

averting the danger of a recurrence of the insurrection of Fregellae on a larger scale by a judicious and reasonable extension of the franchise to the Italian allies, moreover, for their plans in the question of the headship of the state. While in the the two great political parties were palpably different, the best men of both camps had many points of contact in their means of operation and in their reforming tendencies, and, as Scipio Aemilianus may be named alike among the adversaries of Tiberius Gracchus and among the promoters of his reforming efforts, so Drusus was the successor and disciple no less than the antagonist of Gaius. The two high born and high minded youthful reformers had a greater resemblance than was apparent at the first glance, and, personally also, the two were not unworthy to meet, as respects the substance of their patriotic endeavours, in purer and higher views above the obscuring mists of prejudiced partisanship.

The question at stake was the passing of the laws drawn up by Drusus. Of these the proposer, just like Gaius Gracchus, kept in reserve for the moment the hazardous proposal to confer the Roman franchise on the Italian allies, and brought forward at first only the laws as to the jurymen, the assignation of land and the distribution of grain. The capitalist party offered the most vehement resistance, and, in consequence of the irresolution of the greater part of the aristocracy and the vacillation of the comitia, would beyond question have earned the rejection of the law as to jurymen, if it had been put to the vote by itself. Drusus accordingly embraced all his proposals in one law, and, as thus all the burgesses interested in the distributions of grain and land were compelled to vote also for the law as to jurymen, he succeeded in carrying the law with their help and that of the Italians, who stood firmly by Drusus with the exception of the large landowners, particularly those in Umbria and Etruria, whose domanial possessions were threatened. It was not carried, however, until Drusus had caused the consul Philippus, who would not desist from opposition, to be arrested and carried off to prison by a bailiff. The people celebrated the tribune as their benefactor, and received him in the theatre by rising up and applauding, but the voting had not so much decided the struggle as transferred it to another ground, for the opposite party justly characterised the proposal of Drusus as contrary to the law of ⁸⁵⁸858 (p. 205) and therefore as null. The chief opponent of the tribune, the consul Philippus, summoned the

senate on this ground to cancel the Livian law as informal; but the majority of the senate, glad to be rid of the equestrian courts, rejected the proposal. The consul thereupon declared in the open market that it was not possible to govern with such a senate, and that he would look out for another state-council: he seemed to meditate a *coup d'état*. The senate, convoked accordingly by Drusus, after stormy discussions pronounced a vote of censure and of want of confidence against the consul; but in secret a great part of the majority began to cherish apprehension respecting the revolution with which they seemed to be threatened on the part both of Philippus and of a large portion of the capitalists. Other circumstances added to that apprehension. One of the most active and eminent of those who shared the views of Drusus, the orator Lucius Crassus, died suddenly a few days after that sitting of the senate (September $\frac{6.6.3}{91}$). The connections formed by Drusus with the Italians, which he had at first communicated only to a few of his most intimate friends, became gradually divulged, and the furious cry of high treason which his antagonists raised was echoed by many, perhaps by most, men of the government party. Even the generous warning which he communicated to the consul Philippus, to beware of the murderous emissaries of the Italians at the federal festival on the Alban Mount, served only further to compromise him, for it showed how deeply he was involved in the conspiracies springing up among the Italians.

Philippus insisted with daily increasing vehemence on the abrogation of the Livian law; the majority grew daily more lukewarm in its defence. A return to the former state of things soon appeared to the great multitude of the timid and the irresolute in the senate the only way of escape, and a decree cancelling the law on account of informality was issued. Drusus, after his fashion sternly acquiescing, contented himself with the remark that it was the senate itself which thus restored the hated equestrian courts, and waived his right to render the decree of cassation invalid by means of his veto. The attack of the senate on the capitalist party was totally repulsed, and willingly or unwillingly they submitted once more to the former yoke.

But the great capitalists were not content with having conquered. One evening, when Drusus at his entrance hall was just about to take leave of the multitude which as usual escorted him, he suddenly dropped down in front of the image of his father; an assassin's hand had struck him, and so surely that a few hours afterwards he expired. The perpetrator had

vanished in the evening twilight without any one recognising him; and no judicial investigation took place; but none such was needed to bring to light in this case the dagger with which the aristocracy pierced its own flesh. The same violent and terrible end, which had swept away the democratic reformers, was destined also for the Gracchus of the aristocracy. It involved a profound and melancholy lesson. Reform was frustrated by the resistance or by the weakness of the aristocracy, even when the attempt at reformation proceeded from their own ranks. Drusus had staked his strength and his life in the attempt to overthrow the dominion of the merchants, to organise emigration, to avert the impending civil war; he himself saw the merchants ruling more absolutely than ever, found all his ideas of reform frustrated, and died with the consciousness that his sudden death would be the signal for the most fearful civil war that ever desolated the fair land of Italy.

CHAPTER VII

THE REVOLT OF THE ITALIAN SUBJECTS, AND THE SULPICIAN REVOLUTION

FROM the time when the defeat of Pyrrhus had put an end to the last war which the Italians had waged for their independence—or, in other words, for nearly two hundred years—the Roman primacy had now subsisted in Italy, without having been once shaken in its foundations even under circumstances of the utmost peril. Vainly had the heroic family of the Barcides, vainly had the successors of Alexander the Great and of the Achaemenidae, endeavoured to rouse the Italian nation to contend with the too powerful capital; it had obsequiously appeared in the fields of battle on the Guadalquivir and on the Mejerdah, at the pass of Tempe and at Mount Sipylus, and with the best blood of its youth had helped its masters to achieve the subjugation of three continents. Its own position meanwhile had changed, but had deteriorated rather than improved. In a material point of view, doubtless, it had in general not much ground to complain. Though the small and intermediate landholders throughout Italy suffered in consequence of the injudicious Roman legislation as to corn, the larger landlords and still more the mercantile and capitalist class were flourishing, for the Italians enjoyed, as respected the financial profits of the provinces, substantially the same protection and the same privileges as Roman burgesses, and thus shared to a great extent in the material advantages of the political ascendancy of the Romans. In general, the economic and social condition of Italy was not immediately dependent on political distinctions; there were allied districts, such as Umbria and Etruria, in which the class of free farmers had mostly disappeared, while in others, such as the valleys of the Abruzzi, the same class still maintained a tolerable footing or was almost unaffected—just as a similar diversity could be pointed out in the different Roman tribes. On the other hand the political inferiority of Italy was daily displayed more harshly and more abruptly. No formal open breach of right indeed occurred, at least in the principal questions. The communal freedom, which under the name of

sovereignty was accorded by treaty to the Italian communities, was on the whole respected by the Roman government, the attack, which the Roman reform party at the commencement of the agrarian agitation made on the Roman domains guaranteed to the more privileged communities, had not only been earnestly opposed by the strictly conservative as well as by the middle party in Rome, but had been very soon abandoned by the Roman opposition itself.

But the rights, which belonged and could not but belong to Rome as the leading community—the supreme conduct of war-affairs, and the superintendence of the whole administration—were exercised in a way which was almost as bad as if the allies had been directly declared to be subjects without rights. The

of the seventh century of the Roman burgess soldiers: this is the important, the abolition of executions by martial law (p. 105), and we may easily conceive the impression which was produced when, as happened in the Jugurthine war, Latin officers of repute were beheaded by sentence of the Roman council of war, while the lowest burgess-soldier had in the like case the right of presenting an appeal to the civil tribunals of Rome. The proportions in which the burgesses and Italian allies were to be drawn for military service had, as was fair, remained undefined by treaty, but, while in earlier times the two had furnished on an average equal numbers of soldiers (1 106, 334), now, although the proportions of the population had changed probably in favour of the burgesses rather than to their disadvantage, the demands on the allies were by degrees increased disproportionately.

so that on the one hand they had the chief imposed on them, regularly levied for one burgess in like manner. The military supremacy the civil superintendence, which (including the supreme administrative jurisdiction which could hardly be separated from it) the Roman government had always and rightly reserved to itself over the dependent Italian communities, was extended in such a way that the Italians were hardly less than the provincials exposed to the caprice of any one of the one of the red the

stake in the market-place, because, on the consul's wife expressing a desire to bathe in the men's bath, the municipal officers had not driven forth the bathers quickly enough, and the bath appeared to her not to be clean. Similar scenes had taken place in Ferentinum, likewise a town *optimi juris*, and even in the old and important Latin colony of Cales. In the Latin colony of Venusia a free peasant had been seized by a young Roman diplomatist not holding office but passing through the town, on account of a jest which he had allowed himself to make on the Roman's litter, had been thrown down, and whipped to death with the straps of the litter. These occurrences are incidentally mentioned about the time of the Fregellan insurrection; it admits of no doubt that similar outrages frequently occurred, and of as little that no real satisfaction for such misdeeds could anywhere be obtained, whereas the right of appeal—not easily violated with impunity—protected in some measure at least the life and limbs of the Roman burgess. In consequence of this treatment of the Italians on the part of the Roman government, the variance, which the wisdom of their ancestors had carefully fostered between the Latin and the other Italian communities, could not fail, if not to disappear, at any rate to undergo abatement (ii. 314). The fortresses of Rome and the districts kept to their allegiance by the fortresses lived now under the like oppression; the Latin could remind the Picentine that they were both in like manner "subject to the fasces;" the overseers and the slaves of former days were now united by a common hatred towards the common despot.

While the present state of the Italian allies was thus transformed from an endurable dependence into the most oppressive bondage, they were at the same time deprived of every prospect of obtaining better rights. With the subjugation of Italy the Roman burgess-body had closed its ranks; the bestowal of the franchise on whole communities was totally given up, its bestowal on individuals was greatly restricted. Even the full liberty of migration belonging to the Old Latin burgesses which procured for such of their numbers as transferred their abode to Rome the *civitas sine suffragio* there, had been curtailed in a manner offensive to the communities concerned (ii. 312). They now advanced a step farther: on occasion of the agitation which contemplated the extension of the Roman franchise to all Italy in the years $\frac{628}{128}$, $\frac{632}{132}$, the right of migration to Rome was itself attacked, and all the non-burgesses resident in Rome were directly ejected by decree of the people and of the senate from

the capital (pp. 99, 116)—a measure as odious on account of its illiberality, as dangerous from the various private interests which it injuriously affected. In short, while the Italian allies had formerly stood to the Romans partly in the relation of brothers under tutelage, protected rather than ruled and not destined to perpetual minority, partly in that of slaves tolerably treated and not utterly deprived of the hope of manumission, they were now all of them subject nearly in equal degree, and with equal hopelessness, to the rods and axes of their Roman masters, and might at the utmost presume like privileged slaves to transmit the kicks received from their masters onward to the poor provincials.

It belongs to the nature of such differences that, restrained by the sense of national unity and by the remembrance of dangers surmounted in common, they make their appearance at first gently and as it were modestly, till the breach gradually widens and the relation between the rulers, whose might is their sole right, and the ruled, whose obedience reaches no farther than their fears, manifests at length undisguisedly the character of force. Down to the revolt and razing of Fregellæ in 433, which as it were officially attested the altered character of the Roman rule, the ferment among the Italians did not properly wear a revolutionary character. The longing after equal rights had gradually risen from a silent wish to a loud request, only to be the more decidedly rejected, the more distinctly it was announced. It was very soon apparent that a voluntary con-

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was not very much less than that of the Italian allies; for nearly 400,000 burgesses capable of bearing arms there were at least 500,000, probably 600,000 allies.¹ So long as with such pro-

¹ These figures are taken from the numbers of the census of 418 and 444, there were in the former year 394,336 burgesses capable of bearing arms, in the latter 910,000 (according to Phlegon Fr. 12 Müll. which statement Clinton and his copyists erroneously refer to the census of 433; according to Liv. Ep. 98 the number was—by the correct reading—900,000 persons).

portions the burgesses were united and there was no outward enemy worthy of mention, the Italian allies, split up into an endless number of isolated civic and cantonal communities, and connected with Rome by a thousand relations, public and private, could never attain to common action; and with moderate prudence the government could not fail to control their troublesome and indignant subjects partly by the compact mass of the burgesses, partly by the very considerable resources which the provinces afforded, partly by setting one community against another.

Accordingly the Italians kept themselves quiet, till the revolution began to shake Rome; but, as soon as it had broken out, they entered into the movements and agitations of the Roman parties, with a view to obtain equality of rights by means of the one or the other. They had made common cause first with the popular and then with the senatorial party, and gained equally little by either. They had been driven to the conviction that, while the best men of both parties acknowledged the justice and equity of their claims, these best men, aristocrats as well as Populares, had equally little power to procure a hearing for those claims with the mass of their party. They had also observed that the most gifted, most energetic, and most celebrated statesmen of Rome had found themselves, at the very moment when they came forward as advocates of the Italians, deserted by their own adherents and had been accordingly overthrown. In all the vicissitudes of the thirty years of revolution and restoration governments enough had been installed and deposed, but, however the programme might vary, a short-sighted and narrow-minded spirit sat always at the helm.

Above all, the recent occurrences had clearly shown how vain was the expectation of the Italians that their claims would be attended to by Rome. So long as the demands of the Italians were mixed up with those of the revolutionary party and had in the hands of the latter been rejected by the folly of the masses, they might still resign themselves to the belief that the oligarchy had been hostile merely to the proposers, not to the proposal

period from 639 to 684, and even the Sullan assignations of land can at the most have but filled the gaps which the war had made, the surplus of fully 500,000 men capable of bearing arms may be referred with certainty to the reception of the allies, which had taken place in the interval. But it is possible, and even probable, that in these fatal years the total amount of the Italian population may have retrograded rather than advanced: if we reckon the total deficit at 100,000 men capable of bearing arms, which seems not excessive, there were at the time of the Social War in Italy three non-burgesses for two burgesses.

least to compel her to grant equality of rights. The latter resolution was no doubt a resolution of despair; as matters stood, the result of the isolated action was . . .

despair, to sit still and allow things to take their course? When they recollected how the Romans had been in the habit of behaving in Italy without provocation, what could they expect now that the most considerable men in every Italian town had or were alleged to have had—the consequences on either supposition being pretty much the same—an understanding with Drusus, which was immediately directed against the party now victorious and might well be characterised as treason? All those who had taken part in this secret league, all in fact who might be merely suspected of participation, had no choice left save to begin the war or to bend their neck beneath the axe of the executioner.

Moreover, the present moment presented comparatively favourable prospects for a general insurrection throughout Italy. We are not exactly informed how far the Romans had carried out the dissolution of the long Italian confederacies (i. e. . .)

old forms of federation, though these had lost their political significance and were in some cases probably reduced to mere associations for festivals and sacrifices. The insurrection, if it should now begin, would still find a rallying point in these unions; but who could say how soon the Romans would proceed to abolish these also? The secret league, moreover, which was alleged to be headed by Drusus, had lost in him its actual or expected chief, but it continued to exist and afforded an important nucleus for the political organisation of the insurrection; while its military organisation might be based on the fact that each allied town possessed its own armament and experienced soldiers. In Rome on the other hand no serious preparations had been made. It was reported, indeed, that restless movements were occurring in Italy, and that the communities of the allies maintained a remarkable intercourse with each other; but instead of calling the citizens in all haste to arms, the governing corporation contented itself with exhorting the

magistrates in the customary fashion to watchfulness and with sending out spies to learn farther particulars. The capital was so totally undefended, that a resolute Marsian officer Quintus Pompeidius Silo, one of the most intimate friends of Drusus, is said to have formed the design of stealing into the city at the head of a band of trusty associates carrying swords under their clothes, and of seizing it by a *coup de main*. Preparations were accordingly made for a revolt: treaties were concluded, and arming went on silently but actively, till at last, as usual, the insurrection broke out through an accident somewhat earlier than the leading men had intended.

The Roman praetor with proconsular powers, Gaius Servilius, informed by his spies that the town of Asculum (Ascoli) in the Abruzzi was sending hostages to the neighbouring communities, proceeded thither with his legate Fonteius and a small escort, and addressed to the multitude, which was just then assembled in the theatre for the celebration of the great games, a vehement and menacing harangue. The sight of the axes known only too well, the proclamation of threats that were only too earnest, threw the spark into the fuel of bitter hatred that had been accumulating for centuries; the Roman magistrates were torn to pieces by the multitude in the theatre itself, and immediately, as if it were their intention by a fearful outrage to cut off every chance of reconciliation, the gates were closed by command of the magistracy, all the Romans residing in Asculum were put to death, and their property was plundered. The revolt ran through the peninsula like the flame through the steppe. The brave and numerous people of the Marsians took the lead, in connection with the small but hardy confederacies in the Abruzzi—the Paelignians, Marrucinians, Frentanians, and Vestinians. The brave and sagacious Quintus Silo, already mentioned, was here the soul of the movement. The Marsians were the first formally to declare against the Romans, whence the war retained afterwards the name of the Marsian war. The example thus given was followed by the Samnite communities, and generally by the mass of the communities from the Liris and the Abruzzi down to Calabria and Apulia; so that all Central and Southern Italy was soon in arms against Rome.

The Etruscans and Umbrians on the other hand held by Rome, as they had already taken part with the equites against Drusus (p. 210). It is a significant fact, that in these regions the landed and moneyed aristocracy had from ancient times preponderated and the middle class had totally disappeared,

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threatening attitude of king Mithradates, the province of Asia might at any moment fall into the hand of the enemy and thus one of the chief sources of the Roman revenue be dried up. The courts, with the exception of the commission of high treason, in accordance with a decree of the senate temporarily suspended their action, all business stood still, and nothing was attended to but the levying of soldiers and the manufacture of arms.

While the leading state thus collected its energies in the prospect of the severe war impending, the insurgents had to solve the more difficult task of acquiring political organisation during the struggle. In the territory of the Paelignians situated in the centre of the Marsian, Samnite, Marrucian, and Vestinian cantons and consequently in the heart of the insurgent districts, in the beautiful plain on the river Pescara, the town of Corfinium was selected as the Opposition Rome or city of Italia, whose citizenship was conferred on the burgesses of all the insurgent communities, there a Forum and a senate house were staked off on a suitable scale. A senate of five hundred members was charged with the settlement of the constitution and the superintendence of the war. In accordance with its directions the burgesses selected from the men of senatorial rank two consuls and twelve praetors, who, just like the two consuls and six praetors of Rome, were invested with the supreme authority in war and peace. The Latin language, which was even then the

and the two were made use of alternately on the silver pieces which the new Italian state began to coin in its own name after Roman models and after the Roman standard, thus practically abolishing the monopoly of coinage which Rome had exercised for two centuries. It is evident from these arrangements—and was, indeed, a matter of course—that the Italians now no longer thought of wresting equality of rights from the Romans but purposed to annihilate or subdue them and to form a new state. But it is also obvious that their con-

with a governing corporation which contained within it all

same elements of oligarchy as the Roman senate, with an executive administered in like manner by a plurality of co-ordinate supreme magistrates. This imitation descended to the minutest details; for instance, the title of consul or praetor held by the magistrate in chief command was after a victory exchanged by the general of the Italians also for the title of Imperator. Nothing in fact was changed but the name; on the coins of the insurgents the same image of the gods appears, the inscription only being changed from *Roma* to *Italia*. This Rome of the insurgents was distinguished—not to its advantage—from the original Rome merely by the circumstance, that, while the latter had at any rate an urban development and its unnatural position intermediate between a city and a state had formed itself at least in a natural way, the new Italia was nothing at all but a place of congress for the insurgents, and it was by a pure fiction of law that the inhabitants of the peninsula were stamped as burgesses of this new capital. But it is significant that in this case, where the sudden amalgamation of a number of isolated cantons into a new political unity might have so naturally suggested the idea of a representative constitution in the modern sense, no trace of any such idea occurs; in fact the very opposite course was followed,¹ and the communal organisation was simply reproduced in a far more absurd manner than before. Nowhere perhaps is it more clearly apparent than in this instance, that in the view of antiquity a free constitution was inseparable from the appearance of the sovereign people in person in their collective assemblies or from a civic type, and that the great fundamental idea of the modern republican-constitutional state, viz., the expression of the sovereignty of the people by a representative assembly—an idea without which a free state would be a chaos—is wholly modern. Even the Italian polity, although it approximated to a free state in its somewhat representative senates and in the diminished importance of the comitia, never was able in the case either of Rome or of Italia to cross the boundary-line.

¹ Even from our scanty information, the best part of which is given by Diodorus, p. 538, and Strabo, v. 4, 2, this is very distinctly apparent; for example, the latter expressly says that the burgess-body chose the magistrates. That the senate of Italia was meant to be formed in another manner and to have different powers from that of Rome, has been asserted, but has not been proved. Of course in its first composition care would be taken to have a representation in some degree uniform of the insurgent cities; but that the senators were to be regularly deputed by the communities, is nowhere stated. As little does the commission given to the senate to draw up a constitution exclude its promulgation by the magistrates and ratification by the assembly of the people.

In Cisalpine Gaul, which was in the eye of the law a foreign country, but in administration and colonisation had long passed as part of Italy, all the Latin colonies were treated like the Italian communities. Of the other hitherto allied townships in that quarter those—not very numerous—situated on the south side of the Po received the franchise; but the country between the Po and the Alps was in consequence of a law brought in by the consul Strabo in 283 B.C. differently treated. It was organised after the Italian civic constitution, so that the communities not adapted for this, more especially the townships in the Alpine valleys, were assigned to particular towns as dependent and tributary villages. These new town-communities, however, were not presented with the Roman franchise, but, by means of the legal fiction that they were Latin colonies, were invested

at the Po, while the transalpine country, now an outlying dependency; undoubtedly because the region between the Apennines and the Po had long been organised after the Italian model, whereas in the more northerly portion—in which, excepting Eporodia and Aquileia, there were no civic or Latin colonies, and from which in fact the native tribes had been by no means dislodged as they were from the southern district—Celtic habits and the Celtic cantonal constitution still in great part subsisted.

Considerable as these concessions were, if we compare them with the rigid exclusiveness which the Roman burgess-body had retained for more than a hundred and fifty years, they were far from including a capitulation with the actual insurgents; they were on the contrary intended partly to retain the communities that were wavering and threatening to revolt, partly to draw over as many deserters as possible from the ranks of the enemy. To what extent these laws and especially the most important of them—that of Caesar—were applied, cannot be accurately stated, as we are only able to specify in general terms the extent of the insurrection at the time when the law was issued. The chief result at any rate was that the communities

hitherto Latin—not only the survivors of the old Latin confederacy, such as Tibur and Praeneste, but more especially the Latin colonies, with the exception of the few that passed over to the insurgents—were thereby admitted to Roman citizenship. Besides, the law was applied to the isolated towns of the allies between the Po and the Apennines, such as Ravenna, to a number of Etruscan towns, and to the allied cities that remained faithful in Southern Italy, such as Nuceria and Neapolis. It was natural that individual communities, hitherto specially privileged, should hesitate as to the acceptance of the franchise; that Neapolis, for example, should scruple to give up its former treaty with Rome—which guaranteed to its citizens exemption from land-service and their Greek constitution, and perhaps domanial advantages besides—for the very restricted privileges of new burgesses. It was probably in virtue of conventions concluded on account of these scruples that this city, as well as Rhegium and perhaps other Greek communities in Italy, even after their admission to Roman citizenship retained unchanged their former communal constitution and Greek as their official language. At all events, as a consequence of these laws, the circle of Roman burgesses was extraordinarily enlarged by the merging into it of numerous and important civic communities scattered from the Sicilian Straits to the Po; and, further, the country between the Po and the Alps was, by the bestowal of the privileges of the most favoured allies, as it were invested with the legal reversion of full citizenship.

On the strength of these concessions to the wavering communities, the Romans resumed with fresh courage the conflict against the insurgent districts. They had pulled down as much of the existing political institutions as seemed necessary to arrest the progress of the conflagration; the insurrection, thenceforth at any rate spread no farther. In Etruria and Umbria especially, where it was just beginning, it was subdued with singular rapidity, still more, probably, by means of the Julian law than through the success of the Roman arms. In the former Latin colonies, and in the thickly-peopled region of the Po, there were opened up copious and now reliable sources of aid: with these, and with the resources of the burgesses themselves, they could proceed to subdue the now isolated conflagration. The two former commanders-in-chief returned to Rome, Caesar as censor elect, Marius because his conduct of the war was blamed as vacillating and slow, and the man of sixty-six was declared to be in his dotage. This objection was very probably groundless;

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Marius showed at least his bodily vigour by appearing daily in the circ in chief he seems to have t campaign; which alone after his political bankruptcy, himself in public opinion, and so the celebrated champion was to his bitter vexation now, even as an officer, unceremoniously laid aside as useless. The place of Marius in the Marsian army was taken by the consul of this year, Lucius Porcius Cato, who had fought with distinction in Etruria, and that of Caesar in the Campanian army by his lieutenant, Lucius Sulla, to whom were due some of the most material successes of the previous campaign; Gnaeus Strabo retained—now as consul—the command which he had held so successfully in the Picenian territory.

Thus began the second campaign in 88 B.C. The insurgents opened it, even before winter was over, by the bold attempt—recalling the grand passages of the Samnite wars—to send a Marsian army of 15,000 men to Etruria with a view to aid the insurrection brewing in Northern Italy. But Strabo, through whose district it had to pass, intercepted and totally defeated it; only a few got back to their far distant home. When at length the season allowed the Roman armies to assume the offensive, Cato entered the Marsian territory and advanced, successfully encountering the enemy there; but he fell in the region of the Fucine lake during an attack on the enemy's camp, so that the exclusive superintendence of the operations in Central Italy devolved on Strabo. The latter employed himself partly in continuing the siege of Asculum, partly in the subjugation of the Marsian, Sabellian, and Apulian districts. To relieve his hard-pressed native town, Iudacilius appeared before Asculum with the Picentine levy and attacked the besieging army, while at the same time the garrison sallied forth and threw itself on the Roman lines. It is said that 75,000 Romans fought on this day against 60,000 Italians. Victory remained with the Romans, but Iudacilius succeeded in throwing himself with a part of the relieving army into the town. The siege resumed its course; it was protracted¹ by the strength of the place and the desperate defence of the inhabitants, who fought with a recollection of the terrible declaration of war within its

¹ Lead bullets with the name of the legion which threw them, and sometimes which curses against the "runaway slaves"—and accordingly Roman—or with the inscription "hit the Picentes" or "hit Pompeius"—the former Roman, the latter Italian—are even now sometimes found, belonging to that period, in the region of Ascoli.

walls. When Iudacilius at length after a brave defence of several months saw the day of capitulation approach, he ordered the chiefs of that section of the citizens which was favourable to Rome to be put to death under torture, and then died by his own hand. So the gates were opened, and Roman executions were substituted for Italian; all officers and all the respectable citizens were executed, the rest were driven forth to beggary, and all their property was confiscated on account of the state. During the siege and after the fall of Asculum numerous Roman corps marched through the adjacent rebel districts, and induced one after another to submit. The Marrucini yielded, after Lucius Sulpicius had defeated them decidedly at Teate (Chieti). The praetor Gaius Cosconius penetrated into Apulia, took Salapia and Cannae, and besieged Canusium. A Samnite corps under Marius Egnatius came to the help of the unwarlike region and actually drove back the Romans, but the Roman general succeeded in defeating it at the passage of the Aufidus; Egnatius fell, and the rest of the army had to seek shelter behind the walls of Canusium. The Romans again advanced as far as Venusia and Rubi, and became masters of all Apulia. Along the Fucine lake, also and at the Majella mountains—the chief seats of the insurrection—the Romans restored their ascendancy; the Marsians succumbed to Strabo's lieutenants, Quintus Metellus Pius and Gaius Cinna, the Vestinians and Paelignians in the following year ($\frac{66}{89}$) to Strabo himself; Italia the capital of the insurgents became once more the modest Paelignian country-town of Corfinium; the remnant of the Italian senate fled to the Samnite territory.

The Roman southern army, which was now under the command of Lucius Sulla, had at the same time assumed the offensive and had penetrated into southern Campania which was occupied by the enemy. Stabiae was taken and destroyed by Sulla in person (30 April $\frac{66}{89}$) and Herculaneum by Titus Didius, who however fell himself (11 June) apparently at the assault on that city. Pompeii resisted longer. The Samnite general Lucius Cluentius came up to bring relief to the town, but he was repulsed by Sulla; and when, reinforced by bands of Celts, he renewed his attempt, he was, chiefly owing to the wavering of these untrustworthy associates, so totally defeated that his camp was taken and he himself was cut down with the greater part of his troops in their flight towards Nola. The grateful Roman army conferred on its general the grass-wreath—the homely badge with which the usage of the camp decorated the soldier who had

by his energy saved a division of his comrades. Without pausing to undertake the siege of Nola and of the other Campanian towns still occupied by the Samnites, Sulla at once advanced into the interior, which was the head-quarters of the insurrection. The speedy capture and fearful punishment of Aeclanum spread terror throughout the Hirpinian country; it

Mutilus awaited him, was turned, the Samnite army was attacked in rear, and defeated; the camp was lost, the general escaped wounded to Aesernia. Sulla advanced to Bovianum, the capital of the Samnite country, and compelled it to surrender by a second victory obtained beneath its walls. The advanced season alone put an end to the campaign there.

The position of affairs had undergone a most complete change. Powerful, victorious, aggressive as was the insurrection when it began the campaign of ⁹⁶⁵~~964~~, it emerged from it deeply humbled, everywhere beaten, and totally hopeless. All northern Italy was pacified. In central Italy both coasts were wholly in the Roman power, and the Abruzzi almost entirely; Apulia as far as Venusia, and Campania as far as Nola, were in the hands of the Romans; and by the occupation of the Hirpinian territory the communication was broken off between the only two regions still persevering in open resistance, the Samnite and the Lucano-

flame still blazed up among the ruins, but the fire was every-

Strabo and still more of Sulla, the more energetic concentration of the Roman forces, and their quicker offensive action contributed materially to that result, political causes were probably in producing the singularly rapid agents; the law of Silvanus and design in carrying defection and treason to the common cause into the ranks of the enemy, and misfortune, as has so frequently happened, probably fell as an

apple of discord among the loosely connected insurgent communities.

We see only—and this fact points to an internal breaking up of Italia, that must certainly have been attended by violent convulsions—that the Samnites, perhaps under the leadership of the Marsian Quintus Silo who had been from the first the soul of the insurrection and after the capitulation of the Marsians had gone as a fugitive to the neighbouring people, now assumed another organisation purely confined to their own land, and, after “Italia” was vanquished, undertook to continue the struggle as “Safini” or Samnites.¹ The strong Aeserina was converted from the fortress that had curbed, into the last retreat that sheltered, Samnite freedom; an army assembled consisting, it was said, of 30,000 infantry and 1000 cavalry, and was strengthened by the manumission and incorporation of 20,000 slaves; five generals were placed at its head, among whom Silo was the first and Mutilus next to him. With astonishment men saw the Samnite wars beginning anew after a pause of two hundred years, and the resolute nation of farmers making a fresh attempt, just as in the fifth century, after the Italian, confederation was shattered, to force Rome with their own hand to recognise their country’s independence. But this resolution of the bravest despair made not much change in the main result; although the mountain-war in Samnium and Lucania might still require some time and some sacrifices, the insurrection was nevertheless already substantially at an end.

In the meanwhile, certainly, there had occurred a fresh complication, for the Asiatic difficulties had rendered it imperatively necessary to declare war against Mithradates king of Pontus, and for next year ($\frac{666}{85}$) to assign one consul and a consular army to Asia Minor. Had this war broken out a year earlier, the contemporary revolt of the half of Italy and of the most important of the provinces would have occasioned immense peril to the Roman state. Now that the marvellous good fortune of Rome had once more been evinced in the rapid collapse of the Italian insurrection, this Asiatic war just beginning was, notwithstanding its being mixed up with the expiring Italian struggle, not of a really dangerous character; and the less so, because Mithradates in his arrogance refused the invitation of the Italians that

¹ The rare *denarii* with *Safinim* and *G. Mutil* in Oscan characters must belong to this period; for, as long as the designation *Italia* was retained by the insurgents, no single canton could, as a sovereign power, coin money with its own name.

he should afford them direct assistance. Still it was in a high degree inconvenient. The times had gone by, when they without hesitation carried on simultaneously an Italian and a transmarine war; the state-chest was already after two years of warfare utterly exhausted, and the formation of a new army in addition to that already in the field seemed 'scarcely practicable.' But they resorted to such expedients as they could. The

ing, which yielded you . . . the requisite pecuniary means. No new army was formed, but that which was under Sulla in Campania was destined to embark for Asia, as soon as the state of things in southern Italy should allow its departure; which might be expected, from the progress of the army operating in the north under Strabo, to happen soon.

So the third campaign in 88 began amidst favourable . . . the last resistance which . . . successor, Quintus Metellus . . . dia and not unlike his father in his strongly conservative views as well as in military endowments, put an end to the resistance by the capture of Venusia, at which 3000 armed men were taken prisoners. In Samnium Silo no doubt succeeded in retaking Bovianum; but in a battle, in which he engaged the Roman general Mamerkus Aemilius, the Romans conquered, and—what was more important than the victory itself—Silo was among the 6000 dead whom the Samnites left on the field. In Campania the smaller places, which the Samnites still occupied, were wrested from them by Sulla, and Nola was invested. The Roman general Aulus Gabinus penetrated also into Lucania and gained no small advantages; but, after he had fallen in an attack on the enemy's camp, Lamponius the insurgent leader and his followers once more held almost undisturbed command over the wide and desolate Lucano-Bruttian country and even made an attempt to seize Rhegium, which was frustrated, however, by the Sicilian governor Gaius Norbanus. Notwithstanding isolated mischances the Romans were constantly drawing nearer to the attainment of their end: the fall of Nola; the submission of Samnium . . . forces available for . . . the turn taken by affairs . . . life to the well-nigh extinguished insurrection.

Rome was in a fearful ferment. The attack of Drusus upon the equestrian courts and his sudden downfall brought about by the equestrian party, followed by the two-edged Varian warfare of prosecutions, had sown the bitterest discord between the aristocracy and the *bourgeoisie* as well as between the moderates and the ultras. Events had completely justified the party of concession; what they had proposed voluntarily to bestow, Rome had been more than half compelled to concede; but the mode in which the concession was made bore, just like the earlier refusal, the stamp of obstinate and shortsighted envy. Instead of granting equality of rights to all Italian communities, they had only expressed the inferiority in another form. They had received a great number of Italian communities into Roman citizenship, but had attached to what they thus conferred an injurious stigma, by placing the new burgesses alongside of the old on nearly the same footing as the freedmen occupied alongside of the freeborn. They had irritated rather than pacified the communities between the Po and the Alps by the concession of Latin rights. Lastly, they had withheld the franchise from a considerable, and that not the worst, portion of the Italians—the whole of the insurgent communities which had again submitted; and not only so, but, instead of restoring in a legal shape the former treaties annulled by the insurrection, they had at the utmost renewed them as a matter of favour and rendered them revocable at pleasure.¹ The disability as regarded the

¹ Licinianus (p. 15) under the year ⁶⁶⁷/₈₇ says: *dediticis omnibus [ci]vita[s] data; qui polliciti null[a] milia militum vix XV . . . cohortes miserunt*; a statement in which Livy's account (*Epit.* 80): *Italicis populis a senatu civitas data est* reappears in a somewhat more precise shape. The *dediticii* were according to Roman state-law those *peregrini liberi* (Gaius i. 13-15, 25, Ulp. xx. 14, xxii. 2), who had become subject to the Romans and had not been admitted to alliance. They might retain life, liberty, and property, and might be formed into communities with a constitution of their own; the freedmen who were by legal fiction placed on the same footing with the *dediticii* (*ii qui dediticiorum numero sunt*, only by erroneous usage and rarely by the better authors called directly *dediticii*; Gai. i. 12, Ulp. i. 14, Paul. iv. 12, 6) as well as the kindred *liberti Latini Iuniani*, were probably ἀπόλιδες, *nullius certae civitatis cives* (Ulp. xx. 14; comp. Dig. xlviii. 19, 17, 1); but neither the Latins nor the *dediticii* themselves were necessarily ἀπόλιδες. The latter nevertheless were destitute of rights as respected the Roman state in so far as by Roman state-law every *deditio* was necessarily unconditional (Polyb. xxi. 1; comp. xv. 9, 10, xxxvi. 2) and all the privileges expressly or tacitly conceded to them were conceded only *precario* and therefore revocable at pleasure (Appian, *Hisp.* 44); so that the Roman state, whatever it might immediately or afterwards decree regarding its *dediticii*, could never perpetrate as respected them a violation of rights. This destitution of rights only ceased on the conclusion of a treaty of alliance (Liv. xxxiv. 57). Accordingly *deditio* and *foedus* appear in constitutional law as contrasted terms excluding

right of voting gave the deeper offence, that it was—as the comitia were then constituted—politically absurd and the hypocritical care of the government for the unstained purity of the electors appeared to

but all these restrictions invited every demagogue

up the more or less just demands of the new burgesses and Italians excluded from the franchise. While accordingly the more clear seeing of the aristocracy could not but find these partial and grudging concessions as madequate as did the new burgesses and the excluded themselves, they further painfully felt the absence from their ranks of the numerous and excellent men whom the Varian commission of high treason had exiled and whom it was the more difficult to recall because they had been condemned by the verdict not of the people but of the jury courts, for, while there was little hesitation as to cancelling a decree of the people even of a judicial character by means of a second, the cancelling of a verdict of jurymen by the people appeared to the better portion of the aristocracy as a very dangerous precedent. Thus neither the ultras nor the moderates were content with the issue of the Italian crisis. But still deeper indignation swelled the heart of the old man, who had gone forth to the Italian war with revived hopes and had come back from it reluctantly, with the consciousness of having rendered new services and of having received in return new and most severe mortifications, with the bitter feeling of being no longer dreaded but despised by his enemies, with that gnawing spirit of vengeance in his heart, which feeds on its own poison. It was true of him also, as of the new burgesses and the excluded, incapable and awkward as he had shown himself to be, his

C. J. Theod. vii 13 16 and Cothobr
among
Latin

popular name was still a formidable weapon in the hand of a demagogue.

With these elements of political convulsion was combined the rapidly spreading decay of the honourable soldierly spirit and of military discipline. The seeds, which were sown by the enrolment of the proletariat in the army, developed themselves with alarming rapidity during the demoralising insurrectionary war, which compelled Rome to admit to the service every man capable of bearing arms without distinction, and which above all carried political partisanship directly into the head-quarters and into the soldiers' tent. The effects soon appeared in the slackening of all the bonds of the military hierarchy. During the siege of Pompeii the commander of the Sullan besieging corps, the consular Aulus Postumius Albinus, was put to death with stones and bludgeons by his soldiers, who believed themselves betrayed by their general to the enemy; and Sulla the commander-in-chief contented himself with exhorting the troops to efface the memory of that occurrence by their brave conduct in presence of the enemy. The authors of that deed were the marines, from of old the least respectable of the troops. A division of legionaries raised chiefly from the city populace soon followed the example thus given. Instigated by Gaius Titius, one of the heroes of the market-place, it laid hands on the consul Cato. By an accident he escaped death on this occasion; Titius was arrested, but was not punished. When Cato soon afterwards actually perished in a combat, his own officers, and particularly the younger Gaius Marius, were—whether justly or unjustly cannot be ascertained—designated as the authors of his death.

To the political and military crisis thus beginning fell to be added the economic crisis—perhaps still more terrible—which set in upon the Roman capitalists in consequence of the Social war and the Asiatic troubles. The debtors, unable even to raise the interest due and yet inexorably pressed by their creditors, had on the one hand entreated from the proper judicial authority, the urban praetor Asellio, a respite to enable them to dispose of their possessions, and on the other hand had searched out once more the old obsolete laws as to usury (i. 300) and, in accordance with the rule established in olden times, had sued their creditors for fourfold the amount of the interest paid to them contrary to the law. Asellio lent himself to bend the *de facto* existing law to the letter, and sanctioned in the usual way the desired actions for interest; whereupon the offended

creditors assembled in the Forum under the leadership of the tribune of the people Lucius Cassius, and attacked and killed the prætor in front of the temple of Concord, just as in his priestly robes he was presenting a sacrifice—an outrage which was not even made a subject of investigation (^{§ 85}). On the other hand it was said in the circles of the debtors, that the suffering multitude could not be relieved otherwise than by "new account-books," that is, by legally cancelling the claims of all creditors against all debtors. Matters stood again exactly as they had stood during the strife of the orders; once more the people came with the prejudiced aristocracy made

great agricultural and commercial nations, and by that means

led to its outbreak.

It was the tribune of the people Publius Sulpicius Rufus who in ^{§ 86} proposed to the burgesses to declare that every senator, who owed more than 2000 *denarii* (£82), should forfeit his seat in the senate, to grant to the burgesses condemned by non-free jury courts liberty to return home, to distribute the new burgesses among all the tribes, and likewise to allow the right of voting in all tribes to the freedmen. They were proposals which from the mouth of such a man were at least somewhat surprising. Publius Sulpicius Rufus (born in ^{§ 74}) owed his political importance not so much to his noble birth, his important connections, and his hereditary wealth, as to his remarkable oratorical talent, in which none of his contemporaries equalled him. His lively gestures sometimes bordering on

As a partisan
and his first
of Norbanus
who was
Among the conservatives he belonged to the

and Drusus. We do not know what primarily gave occasion to his soliciting the tribuneship of the people for ⁶⁶⁶/₆₆₆, and on its account renouncing his patrician nobility; but he seems to have been by no means rendered a revolutionist through the fact that he, like the whole middle party, had been persecuted as revolutionary by the conservatives, and to have by no means intended an overthrow of the constitution in the sense of Gaius Gracchus. It would rather seem that, as the only man of note belonging to the party of Crassus and Drusus who had come forth uninjured from the storm of the Varian prosecutions, he felt himself called on to complete the work of Drusus and finally to abolish the still subsisting disabilities of the new burgesses—for which purpose he needed the tribunate. Several acts of his even during his tribuneship are mentioned, which betray the very opposite of demagogic designs. For instance, he prevented by his veto one of his colleagues from cancelling through a decree of the people the sentences of jurymen issued under the Varian law; and when the late aedile Gaius Caesar unconstitutionally became a candidate for the consulship, passing over the praetorship with the design, it was alleged, of getting the charge of the Asiatic war afterwards entrusted to him, Sulpicius opposed him more resolutely and sharply than any one else. Entirely in the spirit of Drusus, he thus demanded from himself and from others primarily and especially the maintenance of the constitution. But in fact he was as little able as was Drusus to reconcile things that were incompatible, and to carry out in strict form of law the change of the constitution which he had in view—a change judicious in itself, but never to be obtained from the great majority of the old burgesses by amicable means. His breach with the powerful family of the Julii—among whom the consular Lucius Caesar, the brother of Gaius, in particular was very influential in the senate—and with the section of the aristocracy adhering to it, beyond doubt materially co-operated and carried the irascible man through personal exasperation beyond his original design.

Yet the proposals brought in by him were of such a nature as to be by no means out of keeping with the personal character and the previous party-position of their author. The equalisation of the new burgesses with the old was simply a partial resumption of the proposals drawn up by Drusus in favour of the Italians and, like these, only carried out the requirements of a sound policy. The recall of those condemned by the Varian jurymen no doubt sacrificed the principle of the inviolability of

such decisions which Sulpicius himself had just practically defended; but it mainly benefited in the first instance the members of the proposer's own party, the moderate conservatives, and it may be very well conceived that so impetuous a

barrassed notwithstanding all this, on the occasion of the last financial crisis. It was painful doubtless, but yet in itself conducive to the rightly understood interest of the aristocracy, that, as was necessarily the effect of the Sulpician proposal, all persons should withdraw from the senate who were unable speedily to meet their liabilities, and that the coterie-system, which found one of its main supports in the insolvency of many senators and their consequent dependence on their wealthy colleagues, should be checked by the removal of the notoriously venal portion of the senators. At the same time, of course, we do not mean to deny that such a purification of the senate-house so abruptly and invidiously exposing the senate, as Rufus proposed, would certainly never have been proposed

his personal quarrels with the heads of the ruling coteries. Lastly, the re-undoubtedly the primary of the street; but in incompatible with the aristocratic constitution

for military service, their or justified, as the right ad always gone hand in hand. Moreover, looking to the of the comitia, it was politically of very little moment whether one sewer more emptied itself into that slough. The difficulty which the oligarchy felt in governing with the comitia was lessened rather than increased by the unlimited admission of the freedmen, who were to a very great extent personally and financially dependent on the ruling families and, if rightly used, might just furnish the government with a more thorough than before.

shown to aristocracy friendly to reform; but anything else than what the corn-law had been for Drusus—a means of drawing the proletariat over to his side and of breaking

down with its aid the opposition against the truly beneficial reforms which he meditated. It was easy to foresee that this opposition would not be slight; that the narrow-minded aristocracy and the narrow-minded *bourgeoisie* would display the same stupid jealousy after the subduing of the insurrection as they had displayed before its outbreak; that the great majority of all parties would secretly or even openly characterise the partial concessions made at the moment of the most formidable danger as unseasonable compliances, and would passionately resist every attempt to extend them. The example of Drusus had shown what came of undertaking to carry conservative reforms solely in reliance on a senatorial majority; it was a course quite intelligible, that his friend who shared his views should attempt to carry out kindred designs in opposition to that majority and under the forms of demagogism. Rufus accordingly gave himself no trouble to gain the senate over to his views by the bait of the jury courts. He found a better support in the freedmen and above all in the armed retinue—consisting, according to the report of his opponents, of 3000 hired men and an “opposition-senate” of 600 young men from the better class—with which he appeared in the streets and in the Forum.

His proposals accordingly met with the most decided resistance from the majority of the senate, which first, to gain time, induced the consuls Lucius Cornelius Sulla and Quintus Pompeius Rufus, both declared opponents of demagogism, to enjoin extraordinary religious observances, during which the popular assemblies were suspended. Sulpicius replied by a violent tumult, in which among other victims the young Quintus Pompeius, son of the one, and son-in-law of the other consul, met his death and the lives of both consuls themselves were seriously threatened—Sulla is said even to have escaped only by Marius opening to him his house. They were obliged to yield; Sulla agreed to countermand the announced solemnities, and the Sulpician proposals now passed without further difficulty. But this was far from determining their fate. Though the aristocracy in the capital might own its defeat, there was now—for the first time since the commencement of the revolution—yet another power in Italy which could not be overlooked, viz. the two strong and victorious armies of the proconsul Strabo and the consul Sulla. The political position of Strabo might be ambiguous, but Sulla, although he had given way to open violence for the moment, was on the best terms with the majority of the senate; and not only so, but he had, immediately after countermanding the

despatched to the camp at Nola, with a view to have the army handed over to them by Sulla.

Sulla was not the man to yield to such a summons. If any one had a vocation to the chief command in the Asiatic war, it was Sulla. He had, a few years before commanded with the greatest success in the same theatre of war; he had contributed more than any other man to the subjugation of the dangerous Italian insurrection; as consul of the year in which the Asiatic war broke out, he had been invested with the command in it after the customary way and with the full consent of his colleague, who was on friendly terms with him and related to him by marriage. It was expecting a great deal to suppose that he would, in accordance with a decree of the sovereign burgesses of Rome, give up a command undertaken in such circumstances to an old military and political antagonist, in whose hands the army might be turned to none could tell what violent and preposterous proceedings. Sulla was neither good-natured enough to comply voluntarily with such an order, nor dependent enough to be compelled to do so. His army was—partly in consequence of the alterations of the military system which originated with Marius, partly from the moral laxity and the military strictness of its discipline in the hands of Sulla—little more than a body of mercenaries absolutely devoted to their leader and indifferent to political affairs. Sulla himself was a hardened, cool, and clear-headed man, in whose eyes the sovereign Roman burgesses were a rabble, the hero of *Aquæ Sextiæ* a bankrupt swindler, formal legality a mere phrase, Rome itself a city without a garrison and with its walls half in ruins, which could be far more easily captured than Nola.

On these views he acted. He assembled his soldiers—there were six legions, or about 35,000 men—and explained to them the summons that had arrived from Rome, not forgetting to hint that the new commander-in-chief would undoubtedly lead to Asia Minor not the army as it stood, but another formed of fresh troops. The superior officers, who still had more of the citizen than the soldier, kept aloof, and only one of them followed the general towards the capital; but the soldiers, who in accordance with earlier experiences (ii. 325) hoped to find in Asia an easy war and endless booty, were furious; in a moment the two tribunes that had come from Rome were torn in pieces, and from all sides the cry arose that the general should lead them to Rome. Without delay the consul started, and forming a junction with his like-minded colleague by the way, he arrived

by quick marches—little troubling himself about the deputies who hastened from Rome to meet and attempted to detain him—beneath the walls of the capital. Suddenly the Romans

crossed the sacred boundary within which the law had forbidden war to enter. Many a worse quarrel, many an important feud had been brought to a settlement within those walls, without a Roman army venturing to break the sacred fence of the city; that step was now taken, primarily for the sake of the miserable question whether this or that officer was called to command in the East.

The entering legions advanced as far as the height of the Esquiline; when the missiles and stones descending in showers from the roofs made the soldiers waver and they began to give way, Sulla brandished a blazing torch, and with firebrands and threats of setting the houses on fire the legions cleared their way to the Esquiline Forum (not far from S. Maria Maggiore). There the force hastily collected by Marius and Sulpicius awaited them, and by its superior numbers repelled the first advancing columns. But reinforcements came up from the gates; another division of the Sullans made preparations for turning the defenders by the street of the Subura; the latter were obliged to retire. At the temple of Tellus, where the Esquiline begins to slope towards the great Forum, Marius attempted once more to make a stand; he adjured the senate and equites and all the citizens to throw themselves across the path of the legions; it was in vain. Even when the slaves were summoned to arm under the promise of freedom, not more than three of them appeared. Nothing remained for the leaders but to escape in all haste through the still unoccupied gates; after a few hours Sulla was absolute master of Rome. That night the watchfires of the legions blazed in the great market-place of the capital.

power of the sword. It was the conservative party which first drew the sword, and which accordingly in due time experienced the truth of the ominous words of the Gospel as to those who first have recourse to it. For the present they triumphed completely

and might put the victory into formal shape at their own pleasure. As a matter of course, the Sulpician laws were characterised as legally null. Their author and his most notable adherents had fled; they were, twelve in number, proscribed by the senate to be arrested and executed as enemies of their country. Publius Sulpicius was accordingly seized at Laurentum and put to death; and the head of the tribune, sent to Sulla, was by his orders exposed in the Forum at the very rostra where he himself had stood but a few days before in the full vigour of youth and eloquence. The rest of the proscribed were pursued; the assassins were on the track of even the old Gaius Marius. Although the general might have clouded the memory of his glorious days by a succession of pitiful proceedings, now that the deliverer of his country was running for his life, he was once more the victor of Vercellae, and with breathless suspense all Italy listened to the incidents of his marvellous flight. At Ostia he had gone on board a transport with the view of sailing for Africa; but adverse winds and want of provisions compelled him to land at the Circean promontory and to wander at random. With few attendants and without trusting himself to a roof, the grey-haired consular, often suffering from hunger, found his way on foot to the neighbourhood of the Roman colony of Minturnae at the mouth of the Garigliano. There the pursuing cavalry were seen in the distance; with great difficulty he reached the coast and a trading-vessel lying there withdrew him from his pursuers; but the timid mariners soon put him ashore again and made off, while Marius stole along the beach. His pursuers found him in the salt-marsh of Minturnae sunk to the girdle in the mud and with his head concealed amidst a quantity of reeds, and delivered him to the civic authorities of Minturnae. He was placed in prison, and the town-executioner, a Cimbrian slave, was sent to put him to death; but the German trembled before the flashing eyes of his old conqueror and the axe fell from his hands, when the general with his powerful voice haughtily demanded whether he dared to kill Gaius Marius. When they learned this, the magistrates of Minturnae were ashamed that the deliverer of Rome should meet with greater reverence from slaves to whom he had brought servitude than from his fellow-citizens to whom he had brought freedom; they loosed his fetters, gave him a vessel and money for travelling expenses, and sent him to Aenaria (Ischia). The proscribed with the exception of Sulpicius gradually met in those waters; they landed at Eryx and at what was formerly Carthage, but

magistrates of Minturnae were punished.

With a view to remove existing evils and to prevent future revolutions, Sulla suggested a series of new legislative enactments. For the hard-pressed debtors nothing seems to have been done, except that the rules as to the maximum rate of interest were enforced;¹ directions moreover were given for the formation of a number of colonies. The senate which had been greatly thinned by the battles and prosecutions of the Social War was filled up by the admission of 300 new senators, who were naturally selected in the interest of the Optimates. Lastly, material changes were adopted in respect to the mode of election and the initiative of legislation. The arrangement for voting in the centuriate comitia introduced in 443 (ii. 331), which conceded an equal voice to each of the five property-classes, was again exchanged for the old Servian arrangement, under which the first class alone, having estate of 100,000 sesterces (£1000) or upwards, possessed almost half of the votes. Practically there was thus introduced for the election of consuls, praetors, and censors, a census which really excluded the non-wealthy from exercising the suffrage. The legislative initiative in the case of the tribunes of the people was restricted by the rule, that every proposal had henceforth to be submitted by them in the first instance to the senate and could only come before the people in the event of the senate approving it.

These enactments which were called forth by the Sulpician attempt at revolution from the man who then came forward as the shield and sword of the constitutional party—the consul

¹ It is not clear, what the *lex uncariæ* of the consuls Sulla and Rufus in the year 88 prescribed in this respect; but the simplest hypothesis is that which regards it as a renewal of the law of 347 (i. 291), so that the highest allowable rate of interest was again one-twelfth of the capital for the year of ten months or 10 per cent. for the year of twelve months.

Sulla—bear an altogether peculiar character. Sulla ventured, without consulting the burgesses or jurymen, to pronounce sentence of death on twelve of the most distinguished men, including magistrates actually in office and the most famous general of his time, and publicly to defend these proscriptions; a violation of the venerable and sacred laws of appeal which met with severe censure even from very conservative men, such as Quintus Scaevola. He ventured to overthrow an arrangement as to the elections which had subsisted for a century and a half, and to restore the electoral census which had been long obsolete and proscribed. He ventured practically to withdraw the right of legislation from its two primitive factors, the magistrates and the comitia, and to transfer it to a board which had at no time possessed formally any other privilege in this respect than that of being asked for its advice (i. 315). Hardly had any democrat ever exercised justice in forms so tyrannical, or disturbed and remodelled the foundations of the constitution with so reckless an audacity, as this conservative reformer. But if we look at the substance instead of the form, we reach very different conclusions. Revolutions have nowhere ended, and least of all in Rome, without demanding a certain number of victims, who under forms more or less borrowed from justice atone for the fault of defeat as though it were a crime. Any one who recalls the succession of prosecutions carried on by the victorious party after the fall of the Gracchi and Saturninus (pp. 89, 124, 203) will be inclined to yield to the victor of the Esquiline market the praise of candour and comparative moderation, in so far as, first, he without ceremony accepted as war what was really such and proscribed the men who were defeated as enemies beyond the pale of the law; and, secondly, he limited as far as possible the number of victims and allowed at least no offensive outbreak of fury against inferior persons. A similar moderation appears in the political arrangements. The innovation as respects legislation—the most important and apparently the most comprehensive—in fact only brought the letter of the constitution into harmony with its spirit. The Roman legislation, under which any consul, praetor, or tribune could propose to the burgesses any measure at pleasure and bring it to the vote without debate, had from the first been irrational and had become daily more so with the growing nullity of the comitia; it was only tolerated, because in practice the senate had claimed for itself the privilege of previous deliberation and regularly crushed any proposal put to the vote without such previous

deliberation by means of the political or religious veto (1315). The revolution had swept away these barriers, and in consequence that absurd system now began fully to develop its results, and to put it in the power of any petulant knave to overthrow the state in due form of law. What was under such circumstances more natural, more necessary, more truly conservative, than now to recognise formally and expressly the legislation of the senate to which effect had been hitherto given by a circuitous process? The renewal of the electoral census was in a somewhat similar position. The earlier constitution was thoroughly based on it, and the reform of 541, while restricting the privileges of the men of wealth, had rigorously retained the principle of excluding the burgesses rated below 11,000 sesterces (£110) from any sort of influence on the elections. But since that year there had occurred an immense financial revolution, which would itself have justified a nominal raising of the minimum census. The new timocracy consequently changed the letter of the constitution only with a view to remain faithful to its spirit, while it at the same time in the mildest possible form attempted at least to check the disgraceful bribery with all the evils therewith connected. Lastly, the regulations in favour of debtors and the resumption of the schemes of colonisation gave express proof that Sulla, although not disposed to approve the impetuous proposals of Sulpicius, was yet like Sulpicius and Drusus and all the more far seeing aristocrats in general, favourable to material reforms in themselves, and withal we may not overlook the circumstance, that he proposed these measures after the victory and entirely of his

own free will. If we combine with such considerations the fact, that the Gracchan

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rules that primarily threatened the state, and, on the other hand, sought to remedy according to his power the existing social evils, so far as either could be done. Emphatic contempt for

and praiseworthy intentions it has. But it bears also a certain frivolous and superficial character,

it needed in particular a great amount of good nature to believe that the fixing a maximum of interest would remedy the complications of debtor and creditor, and that the right of previous deliberation on the part of the senate would prove more capable of resisting future demagogism than the right of veto and religion had previously been.

In reality new clouds very soon began to overcast the clear sky of the conservatives. The relations of Asia assumed daily a more threatening character. The state had already suffered the utmost injury through the delay which the Sulpician revolution had occasioned in the departure of the army for Asia; the embarkation could on no account be longer postponed. Meanwhile Sulla hoped to leave behind him guarantees against a new assault on the oligarchy in Italy, partly in the consuls who would be elected under the new electoral arrangements, partly and especially in the armies employed in suppressing the remains of the Italian insurrection. In the consular comitia, however, the choice did not fall on the candidates set up by Sulla, but Lucius Cornelius Cinna, who belonged to the most determined opposition, was associated with Gnaeus Octavius, a man certainly of strictly Optimate views. It may be presumed that it was chiefly the capitalist party, which by this choice retaliated on the author of the interest-law. Sulla accepted the unpleasant election with the declaration that he was glad to see the burgesses making use of their constitutional liberty of choice, and contented himself with exacting from both consuls an oath that they would faithfully observe the existing constitution. Of the armies, the one on which the matter chiefly depended was that of the north, as the greater part of the Campanian army was destined to depart for Asia. Sulla got the command of the former entrusted by decree of the people to his devoted colleague Quintus Rufus, and procured the recall of the former general Gnaeus Strabo in such a manner as to spare as far as possible his feelings—the more so, because the latter belonged to the equestrian party and his passive attitude during the Sulpician troubles had occasioned no small anxiety to the aristocracy. Rufus arrived at the army and took the chief command in Strabo's stead; but a few days afterwards he was killed by the soldiers, and Strabo returned to the command which he had hardly abdicated. He was regarded as the instigator of the murder; it is certain that he was a man from whom such a deed might be expected, that he reaped the fruits of the crime, and that he punished the well-known perpetrators of it.

only with words. The removal of Rufus and the commandship of Strabo formed a new and serious danger for Sulla; yet he did nothing to deprive the latter of his command. Soon afterwards, when his consulship expired, he found himself on the one hand urged by his successor Cinna to depart at length for Asia where his presence was certainly urgently needed, and on the other hand cited by one of the new tribunes before the bar of the people; it was clear to the dullest eye, that a new attack on him and his party was in preparation, and that his opponents wished his removal. Sulla had no alternative save either to push the matter to a breach with Cinna and perhaps with Strabo and once more to march on Rome, or to leave Italian affairs to take their course and to remove to another continent. Sulla decided—whether more from patriotism or more from indifference, will never be ascertained—for the latter alternative; handed over the corps left behind in Samnium to the trustworthy and experienced Quintus Metellus Pius, who was invested in Sulla's stead with the proconsular command in chief over lower Italy; gave the conduct of the siege of Nola to the *propraetor* Appius Claudius; and embarked with his legions in the beginning of Æ. 67 for the Hellenic East.

CHAPTER VIII

THE EAST AND KING MITHRADATES

THE state of breathless excitement, in which the revolution kept the Roman government by perpetually renewing the alarm of fire and the cry to quench it, made them lose sight of provincial matters generally; and that most of all in the case of the Asiatic East, whose remote and unwarlike nations did not thrust themselves so directly on the attention of the government as Africa, Spain, and the neighbouring Transalpine peoples. After the annexation of the kingdom of Attalus, which took place contemporaneously with the outbreak of the revolution, for a whole generation there is hardly any evidence of Rome taking a serious part in Oriental affairs—with the exception of the establishment of the province of Cilicia in $\frac{65}{102}$ (p. 131), to which the Romans were driven by the boundless audacity of the Cilician pirates, and which was in reality nothing more than the institution of a permanent station for a small division of the Roman army and fleet in the eastern waters. It was not till the downfall of Marius in $\frac{64}{100}$ had in some measure consolidated the government of the restoration, that the Roman authorities began anew to bestow some attention on the events in the East.

In many respects matters still stood as they had done thirty years ago. The kingdom of Egypt with its two appendages of Cyrene and Cyprus was broken up, partly *de jure*, partly *de facto*, on the death of Euergetes II. ($\frac{63}{117}$). Cyrene went to his natural son, Ptolemaeus Apion, and was for ever separated from Egypt. The sovereignty of the latter formed a subject of contention between the widow of the last king, Cleopatra ($+\frac{66}{89}$), and his two sons, Soter II. Lathyrus ($+\frac{67}{81}$) and Alexander I. ($+\frac{68}{88}$); which gave occasion to Cyprus also to separate itself for a considerable period from Egypt. The Romans did not interfere in these complications; in fact, when the Cyrenaean kingdom fell to them in $\frac{68}{88}$ by the testament of the childless king Apion, while not directly rejecting the acquisition, they left the country in substance to itself by declaring the Greek towns of the kingdom, Cyrene, Ptolemais,

and Berenice, free cities and even handing over to them the use of the royal domains. The supervision of the governor of Africa over this territory was from its remoteness merely nominal, far more so than that of the governor of Macedonia over the Hellenic free cities. The consequences of this measure—which beyond doubt originated not in Philhellenism, but simply in the weakness and negligence of the Roman government—were substantially similar to those which had occurred under the like circumstances in Hellas; civil wars and usurpations so rent the land that, when a Roman officer of rank accidentally made his appearance there in 66 B.C., the inhabitants urgently besought him to regulate their affairs and to establish a permanent government among them.

In Syria also during the interval there had not been much change, and still less any improvement. During the twenty years' war of succession between the two half-brothers Antiochus Grypus (+ 98 B.C.) and Antiochus of Cyzicus (+ 95 B.C.), which after their death was inherited by their sons, the kingdom which was the object of contention became almost an empty name,

Cilicia, and the important Mesopotamia passed over definitely to the Parthians.

At the same time the kingdom of Armenia had passed through a dangerous crisis, chiefly in consequence of the death of Artaxiad, Mithradates VI. discovered for the state its position of ascendancy in the interior of Asia, repulsed the Scythians, and advanced the frontier of the kingdom towards Syria and Armenia; but towards the end of his life new troubles disturbed his reign; and, while the grandees of the kingdom including his own brother Orodes rebelled against the king and at length that brother overthrew him and put him to death, the hitherto unimportant Armenia rose into power. This country, which since its declaration of independence (ii. 204) had been divided into the north-eastern portion of Armenia proper, the kingdom of the Artaxiadae, and the south-western or Sophene, the kingdom of the Zariadriadae, was for the first time united into one kingdom by the Artaxiad Tigranes (who had reigned since 95 B.C.); and this doubling of his power on the one hand, and the weakness of the Parthian rule on the other,

enabled the new king of all Armenia not only to free himself from dependence on the Parthians and to recover the provinces formerly ceded to them, but even to bring to Armenia the titular supremacy of Asia, as it had passed from the Achaemenids to the Seleucids and from the Seleucids to the Arsacids.

Lastly in Asia Minor the territorial arrangements, which had been made under Roman influence after the dissolution of the kingdom of Attalus (p. 53), still subsisted in the main unchanged; except that Great Phrygia, after Gaius Gracchus had discovered the dealings between Mithradates Euergetes and the consul Aquillius (p. 113), had been again withdrawn from the king of Pontus and united as a free country with the Roman province of Asia, like Hellas with Macedonia (about $\frac{643}{130}$). In the condition of the dependent states—the kingdoms of Bithynia, Cappadocia, Pontus, the principalities of Paphlagonia and Galatia, the numerous city-leagues and free towns—no outward change was at first discernible. But, intrinsically, the character of the Roman rule had certainly undergone everywhere a material alteration. Partly through the constant growth of oppression naturally incident to every tyrannic government, partly through the indirect operation of the Roman revolution—in the seizure, for instance, of the property of the soil in the province of Asia by Gaius Gracchus, in the Roman tenths and customs, and in the human hunts which the collectors of the revenue added to their other avocations there—the Roman rule, barely tolerable even from the first, pressed so heavily on Asia that neither the crown of the king nor the hut of the peasant there was any longer safe from confiscation, that every stalk of corn seemed to grow for the Roman *decumanus*, and every child of free parents seemed to be born for the Roman slave-drivers. It is true that the Asiatic bore even this torture with his inexhaustible passive endurance; but it was not patience and reflection that made him bear it peacefully. It was rather the peculiarly Oriental want of power to take the initiative; and in these peaceful lands, amidst these effeminate nations, strange and terrible things might happen, if once there should appear among them a man who knew how to give the signal for revolt.

There reigned at that time in the kingdom of Pontus Mithradates VI. surnamed Eupator (born about $\frac{624}{130}$ + $\frac{691}{831}$) who traced back his lineage on the father's side in the sixteenth generation to king Darius the son of Hystaspes and in the eighth to Mithradates I. the founder of the Pontic empire, and was on the

mother's side descended from the Alexandridæ and the Seleucidæ. After the early death of his father Mithradates Euergetes, who fell by the hand of an assassin at Sinope, he had received

from the daggers of his legal protectors, he became of his own accord a wanderer, and during seven years, changing his resting-place night after night, a fugitive in his own kingdom, led the life of a homeless hunter. Thus the boy grew into a powerful man. Although our accounts regarding him are in substance traceable to written records of contemporaries, yet the legendary tradition which is generated with the rapidity of lightning in the East early adorned the mighty king with many of the traits of its Samson and Rustem. These traits, however, belong to his character just as the crown of clouds belongs to the character of the highest mountain-peaks; the outline of the figure appears in both cases only more coloured and fantastic, not disturbed or essentially altered. The armour, which fitted the gigantic frame of king Mithradates, excited the wonder of the Asiatics and still more that of the Italians. As a runner he overtook the swiftest deer; as a rider he broke in the wild steed, and was able by changing horses to accomplish 120 miles in a day; as a charioteer he drove with sixteen in hand, and gained in competition many a prize—it was dangerous, no doubt, in such

matches and carried on in person the prize; he was the most substantial eater and the hardest drinker and not less so in the pleasures of the harem, as was shown among other things by the licentious letters of his Greek mistresses, which were found among his papers. His intellectual wants he satisfied by the wildest superstition—the interpretation of dreams and the Greek mysteries occupied not a few of the king's hours—and by a rude adoption of Hellenic civilisation. He was fond of Greek art and music; that is to say, he collected precious articles, rich furniture, old Persian and Greek objects of luxury—his cabinet of rings was famous—he had constantly Greek historians, philosophers, and poets in his train, and proposed prizes at his court-festivals not only for the greatest eaters and

drinkers, but also for the merriest jester and the best singer. Such was the man; the sultan corresponded. In the East, where the relation between the ruler and the ruled bears the character of natural rather than of moral law, the subject resembles the dog alike in fidelity and in falsehood, the ruler is cruel and distrustful. In both respects Mithradates has hardly been surpassed. By his orders there died or pined in perpetual captivity for real or alleged treason his mother, his brother, his sister espoused to him, three of his sons and as many of his daughters. Still more revolting perhaps is the fact, that among his secret papers were found sentences of death, drawn up beforehand, against several of his most confidential servants. In like manner it was a genuine trait of the sultan, that he afterwards, for the mere purpose of depriving his enemies of trophies of victory, caused his whole harem to be killed and distinguished his favourite concubine, a beautiful Ephesian, by allowing her to choose the mode of death. He prosecuted the experimental study of poisons and antidotes as an important branch of the business of government, and tried to inure his body to particular poisons. He had early learned to look for treason and assassination at the hands of everybody and especially of his nearest relatives, and he had early learned to practise them against everybody and most of all against those nearest to him; of which the necessary consequence—attested by all his history—was, that all his undertakings finally miscarried through the perfidy of those whom he trusted. At the same time we doubtless meet with isolated traits of high-minded justice: when he punished traitors, he ordinarily spared those who had become involved in the crime simply from their personal relations with the leading culprit; but such fits of equity are to be met with in every barbarous tyrant. What really distinguishes Mithradates amidst the multitude of similar sultans, is his boundless activity. He disappeared one fine morning from his palace and remained unheard of for months, so that he was given over as lost; when he returned, he had wandered incognito through all western Asia and reconnoitred everywhere the country and the people. In like manner he was not only generally fluent in speech, but he administered justice to each of the twenty-two nations over which he ruled in its own language without needing an interpreter—a trait significant of the versatile ruler of the many-tongued East. His whole activity as a ruler bears the same character. So far as we know (for our authorities are unfortunately altogether silent as to his internal administration) his

earlier years at least, led against the enemy not in person, but by some Greek *condottiere*—in efforts to add new satrapies to the old. Of higher elements—desire to advance civilisation, earnest leadership of the national opposition, special ^{there are found, in our traditional account at}

such as Mohammed II and such as the Hellenic culture, which sat on him not much better than the Roman armour sat on his Cappadocians, he was throughout an Oriental of the ordinary stamp, coarse, full of the most sensual appetites, superstitious, cruel, perfidious, and unscrupulous, but so vigorous in organisation, so powerful in physical endowments, that his defiant laying about him and his unshaken courage in resistance frequently look like talent, sometimes even like genius. Granting that during the death-struggle of the republic it was easier to offer resistance to Rome than in the times of Scipio or Trajan, and that it was only the complication of the Asiatic events with the internal commotions of Italy which rendered it possible for Mithradates to resist the Romans twice as long as Jugurtha did, it remains nevertheless true that before the Parthian wars he was the only enemy who gave serious trouble to the Romans in the East, and that he defended himself against them as the lion of the desert defends himself against the hunter. Still we are not entitled in accordance with what we know, to recognise in him more than the resistance to be expected from so vigorous a nature.

But, whatever judgment we may form as to the individual character of the king, his historical position remains in a high degree significant. The Mithradatic wars formed at once the last movement of the political opposition offered by Hellas to Rome, and the beginning of a revolt against the Roman supremacy resting on very different and far deeper grounds of antagonism—the national reaction of the Asiatics against the Occidentals. The empire of Mithradates was, like himself, Oriental, polygamy and the system of the harem prevailed at court and generally among persons of rank, the religion of the inhabitants of the country as well as the official religion of the court was pre-eminently the old national worship, the Hellenism there was little different from the Hellenism of the Armenian Tigranidae and the Arsacidae of the Parthian empire.

The Greeks of Asia Minor might imagine for a brief moment that they had found in this king a support for their political dreams; his battles were really fought for matters very different from those which were decided on the fields of Magnesia and Pydna. They formed—after a long truce—a new passage in the huge duel between the West and the East, which has been transmitted from the struggle of Marathon to the present generation and will perhaps reckon its future by thousands of years as it has reckoned its past.

Manifest however as is the foreign and un-Hellenic character of the whole life and action of the Cappadocian king, it is difficult to define what national element preponderated in it, nor will research perhaps ever succeed in getting beyond generalities or in attaining clear views on this point. In the whole circle of ancient civilisation there is no region where the stocks subsisting side by side or crossing each other were so numerous, so heterogeneous, so variously from the remotest times intermingled, and where in consequence the relations of the nationalities were so obscure, as in Asia Minor. The Semitic population continued in an unbroken chain from Syria to Cyprus and Cilicia, and to it the original stock of the population along the west coast in the Carian and Lydian provinces seems also to have belonged, while the north-western point was occupied by the Bithynians, who were related to the Thracians in Europe. The interior and the north coast, on the other hand, were filled chiefly by Indo-Germanic peoples most nearly cognate to the Iranian. In the case of the Armenian and Phrygian languages¹ it is ascertained, in that of the Cappadocian it is highly probable, that they had immediate affinity with the Zend; and the statement made as to the Mysians, that among them the Lydian and Phrygian languages met, just denotes a mixed Semitic-Iranian population that may be compared perhaps with that of Assyria. As to the regions stretching between Cilicia and Caria, more especially Lycia, there is still, notwithstanding the full remains of the native language and writing that are in this particular instance extant, a want of reliable results, and it is merely probable that these tribes ought to be reckoned among the Indo-Germans rather than the Semites. How all this confused mass of peoples was overlaid first with a net of Greek mercantile cities, and then

¹ The words quoted as Phrygian *Bayaōs* = Zeus and the old royal name *Mávis* have been beyond doubt correctly referred to the Zend *bagha* = God and the Germanic *Mannus*, Indian *Manus* (Lassen, *Zeitschrift der deutschen morgenländ. Gesellschaft*, vol. x. p. 329 seq.)

with the Hellenism called into life by the military as well as intellectual ascendancy of the Greek nation, has in general outline been set forth already.

In these regions ruled King Mithradates, and that first of all in Cappadocia on the Black Sea or Pontus as it was called, a district in which, situated as it was at the north-eastern extremity of Asia Minor towards Armenia and in constant contact with the latter, we may presume that the Iranian nationality preserved itself with less admixture than anywhere else in Asia Minor. Not even Hellenism had penetrated far into that region. With the exception of the coast where several originally Greek settlements subsisted—especially the important commercial marts Trapezus, Amisus, and above all Sinope, the birthplace and residence of Mithradates and the most flourishing city of the empire—the country was still in a very primitive condition. Not that it had lain waste, on the contrary, as the province of Pontus is still one of the most fertile on the face of the earth, with its fields of grain alternating with forests of wild fruit trees, it was beyond doubt even in the time of Mithradates well cultivated and also comparatively populous. But there were hardly any towns properly so called, the country possessed nothing but strongholds, which served the peasants as places of refuge and the king as treasuries for the custody of the revenues which accrued to him, in the Lesser Armenia alone, in fact, there were counted seventy five of these little royal forts. We do not find that Mithradates materially contributed to promote the growth of towns in his empire, and situated as he was—in practical, though not perhaps on his own part quite conscious, reaction against Hellenism,—this is easily explained.

He appears more actively employed—likewise quite in the Oriental style—in enlarging on all sides his kingdom, which was even then not small, though its compass is probably over-stated at 2300 miles. We find his armies, his fleets, and his envoys busy along the Black Sea as well as towards Armenia and Asia Minor. But nowhere did so free and ample an arena present itself to him as on the eastern and northern shores of the Black Sea, the state of which at that time we must not omit to glance at, however difficult or in fact impossible it is to give a really distinct idea of it. On the eastern coast of the Black Sea—
 first opened up to more
 of Colchis on the
 important commercial
 town of Dioscurias was wrested from the native princes and

converted into a satrapy of Pontus. Of still greater moment were his enterprises in the north.¹ The wide steppes destitute of hills and trees, which stretch to the north of the Black Sea, of the Caucasus, and of the Caspian, are by reason of their natural conditions—more especially from the variations of temperature fluctuating between the climate of Stockholm and that of Madeira, and from the absolute destitution of rain or snow which occurs not unfrequently and lasts for a period of twenty-two months or longer—little adapted for agriculture or for permanent settlement at all; and they always were so, although two thousand years ago the state of the climate was probably somewhat less unfavourable than it is at the present day.² The various tribes, whose wandering impulse led them into these regions, submitted to this ordinance of nature and led (and still to some extent lead) a wandering pastoral life with their herds of oxen or still more frequently of horses, changing their places of abode and pasture, and carrying their effects along with them in waggon-houses. Their equipment and style of fighting were consonant to this mode of life; the inhabitants of these steppes fought in great measure on horseback and always in loose array, equipped with helmet and coat of mail of leather and leather-covered shield, armed with sword, lance, and bow—the ancestors of the modern Cossacks. The Scythians originally settled there, who seem to have been of Mongolian race and akin in their habits and physical appearance to the present inhabitants of Siberia, had been followed up by Sarmatian tribes advancing from east to west,—Sauromatae, Roxolani, Jazyges,—who are commonly reckoned of Slavonian descent, although the proper names, which we are entitled to ascribe to them, show more affinity with Median and Persian names and those peoples perhaps belonged rather to the great Zend stock. Thracian tribes moved in the opposite direction, particularly the Getae, who reached as far as the Dniester. Between the two there intruded themselves—probably as offsets of the great Germanic migration, the main body of which seems not to have

¹ They are here grouped together, because, though they were in part doubtless not executed till between the first and the second war with Rome, they to some extent preceded even the first (Memn. 30; Justin xxxviii. 7 *ap. fin.*; App. *Mithr.* 13; Eutrop. v. 5) and a narrative in chronological order is in this case absolutely impracticable.

² It is very probable that the extraordinary drought, which is the chief obstacle now to agriculture in the Crimea and in these regions generally, has been greatly increased by the disappearance of the forests of central and southern Russia, which formerly to some extent protected the coast-provinces from the parching north-east wind.

touched the Black Sea—the Celts, as they were called, on the Dnieper, the Bastarnae in the same quarter, and the Peucini at the mouth of the Danube. A state, in the proper sense, was nowhere formed, every tribe lived by itself under its princes and elders.

In broad contrast to all these barbarians stood the Hellenic settlements, which at the time of the mighty impetus given to Greek commerce had been founded chiefly by the efforts of Miletus on these coasts, partly as trading marts, partly as stations for prosecuting important fisheries and even for agriculture, for which, as we have already said, the north western shores of the Black Sea presented in antiquity conditions less unfavourable than at the present day. For the use of the soil the Hellenes paid here, like the Phoenicians in Libya, tax and ground rent to the native rulers. The most important of these settlements were the free city of Chersonesus (not far from Sebastopol), built on the territory of the Scythians in the Tauric peninsula (Crimea), and maintaining itself in moderate prosperity under circumstances far from favourable by virtue of its good constitution and the public spirit of its citizens, and Panticapæum (Kertch) a

strait leading from

since the year 487

called kings of the Bosphorus, the Archæanactidae, Spartocidae, and Paerisadæ. The culture of corn and the fisheries of the Sea of Azov had rapidly raised the city to prosperity. Its territory still in the time of Mithradates embraced the lesser eastern division of the Crimea including the town of Theodosia, and on the opposite Asiatic continent the town of Phanagoria and the district of Sindice. In better times the lords of Panticapæum had ruled the peoples on the east coast of the Sea of Azov and the valley of the Kuban, and had commanded the Black Sea with their fleet, but Panticapæum was no longer what it had been. Nowhere was the sad decline of the Hellenic nation felt more deeply than at these distant outposts. Athens in its good times had been the only Greek state which fulfilled there the duties of a leading power—duties which certainly were specially brought home to the Athenians by their need of Pontic grain. After the downfall of the Attic maritime power these regions were, on the whole, left to themselves. The Greek land powers never succeeded in any serious intervention there, although Philip the father of Alexander and Lysimachus sometimes attempted it, and the Romans, on whom with the

conquest of Macedonia and Asia Minor devolved the political obligation of becoming the strong protectors of Greek civilisation at the point where it needed such protection, utterly neglected the summons of interest as well as of honour. The fall of Sinope, the decline of Rhodes, completed the isolation of the Hellenes on the northern shore of the Black Sea. A vivid picture of their position with reference to the roving barbarians is given to us by an inscription of Olbia (near Oczakow not far from the mouth of the Dnieper), which probably falls somewhere about the time of Mithradates. The citizens had not only to send annual tribute to the court camp of the barbarian king, but also to make him a gift when he encamped before the town or even simply passed by, and in a similar way to buy off minor chieftains and in fact sometimes the whole horde with presents; and it fared ill with them if the gift appeared too small. The treasury of the town was bankrupt and they had to pledge the votive offerings. Meanwhile the savage tribes were thronging without in front of the gates; the territory was laid waste, the field-labourers were dragged away *en masse*, and, what was worst of all, the weaker of their barbarian neighbours, the Scythians, sought, in order to shelter themselves from the pressure of the more savage Celts, to obtain possession of the walled town, so that numerous citizens were leaving it and the inhabitants now contemplated its entire surrender.

Such was the state in which Mithradates found matters, when his Macedonian phalanx crossing the ridge of the Caucasus descended into the valleys of the Kuban and Terek and his fleet at the same time appeared in the Crimean waters. No wonder that everywhere, as had already been the case in Dioscurias, the Hellenes received the king of Pontus with open arms and regarded the half-Hellene and his Cappadocians armed in Greek fashion as their deliverers. What Rome had here neglected, became apparent. The demands on the rulers of Panticapaeum for tribute had just then been raised to an exorbitant height; the town of Chersonesus found itself hard pressed by Scilurus king of the Tauric Scythians and his fifty sons; the former were glad to surrender their hereditary lordship, and the latter their long-preserved freedom, in order to save their last possession, their Hellenism. It was not in vain. Mithradates' brave generals, Diophantus and Neoptolemus, and his disciplined troops easily got the better of the people of the steppe. Neoptolemus defeated them at the straits of Panticapaeum partly by water, partly in winter on the ice; Chersonesus was delivered,

the strongholds of the Taurians were broken, and the possession of the peninsula was secured by judiciously constructed fortresses. Diophantus marched against the Roxolani (between the Dnieper and Don) who came forward to the aid of the Taurians, 80,000 of them fled before his 6000 phalangites, and the Pontic arms penetrated as far as the Dnieper. Thus Mithradates acquired here a second kingdom combined with that of Pontus and like the latter, mainly based on a number of Greek commercial towns. It was called the kingdom of the Bosphorus, it embraced the modern Crimea with the opposite Asiatic promontory, and annually furnished to the royal chests and magazines 200 talents (£48,000) and 270,000 bushels of grain. The tribes of the steppe themselves from the north slope of the Caucasus to the mouth of the Danube entered, at least in great part, into relations of dependence on, or treaty with the Pontic king and, if they furnished him with no other aid, afforded at any rate an inexhaustible field for recruiting his armies.

While thus the most important successes were gained towards the north, the king at the same time extended his dominions towards the east and the west. The Lesser Armenia was annexed by him and converted from a dependent principality into an integral part of the Pontic kingdom, but still more important was the close connection which he formed with the king of the Greater Armenia. He not only gave his daughter Cleopatra in marriage to Tigranes, but it was mainly through his support that Tigranes shook off the yoke of the Arsacidae and took their place in Asia. An agreement seems to have been made between the two to the effect that Tigranes should take in hand to occupy Syria and the interior of Asia, and Mithradates Asia Minor and the coasts of the Black Sea, under promise of mutual support, and it was beyond doubt the more active and abler Mithradates who brought about this agreement with a

his eyes towards
s claimed on the

¹ The chronology of the following events can only be determined approximately. Mithradates Eupator seems to have practically entered on the government somewhere about 84 B.C. Sulla's intervention took place in 83 (Liv. Ep. 70) with which accords the calculation assigning to the Mithradatic wars a period of thirty years (83 B.C. - 53 B.C.) (Plin. H. N. vii. 27. 97). In the interval fell the quarrels as to the Paphlagonian and Cappadocian succession with which the bribery attempted by Mithradates in Rome (V. cl. 631) apparently is the first tribunate of Saturninus in 85 B.C. (p. 194) was probably connected. Marius who left Rome in 86 B.C. and did not

part of Pontus as having been bequeathed by the testament of the last of the Pylaemenidae to king Mithradates Euergetes: against this, however, legitimate or illegitimate pretenders and the land itself protested. As to Cappadocia, the Pontic rulers had not forgotten that this country and Cappadocia on the sea had been formerly united, and continually cherished ideas of reunion. Paphlagonia was occupied by Mithradates in concert with Nicomedes king of Bithynia, with whom he shared the land and thereby drew him wholly over to his interests. To cover in some degree the manifest violation of right, Nicomedes equipped one of his sons with the name of Pylaemenes and designated him as nominal ruler of Paphlagonia. The policy of the allies adopted still worse expedients in Cappadocia. King Ariarathes VI. was killed by Gordius, it was said by the orders, at any rate in the interest, of Ariarathes' brother-in-law Mithradates Eupator: his young son Ariarathes could only meet the encroachments of the king of Bithynia by means of the ambiguous help of his uncle, in return for which the latter then suggested to him that he should allow the murderer of his father, who had taken flight, to return to Cappadocia. This led to a rupture and to war; but when the two armies stood ready for battle, the uncle requested a previous conference with the nephew and thereupon cut down the unarmed youth with his own hand. Gordius, the murderer of the father, then undertook the government by the directions of Mithradates; and although the indignant population rose against him and called the younger son of the last king to the throne, the latter was unable to offer any permanent resistance to the superior forces of Mithradates. The speedy death of the youth placed by the people on the throne gave to the Pontic king the greater liberty of action, because with that youth the Cappadocian royal house became extinct. A Pseudo-Ariarathes was proclaimed as nominal regent, just as had been done in Paphlagonia; under whose name Gordius administered the kingdom as lieutenant of Mithradates.

Mightier than any native monarch for many a day had been, Mithradates bore rule alike over the northern and the southern shores of the Black Sea and far into the interior of Asia Minor. The resources of the king for war by land and by sea seemed immeasurable. His recruiting field stretched from the mouth of

remain long in the East, found Mithradates already in Cappadocia and negotiated with him regarding his aggressions' (Cic. *ad Brut.* i. 5; Plut. *Mar.* 31); Ariarathes VI. had consequently been by that time put to death.

the Danube to the Caucasus and the Caspian Sea; Thracians, Scythians, Sauromatae, Bastarnae, Colchians, Iberians (in the modern Georgia) crowded under his banners; above all he recruited his war-hosts from the brave Bastarnae. For his fleet the satrapy of Colchis supplied him with the most excellent timber, which was floated down the Caucasus, besides flax, hemp, pitch and wax, pilots and officers were hired in Phoenicia and Syria. The king, it was said, had marched into Cappadocia with 600 scythe-chariots, 10,000 horse, and 80,000 foot; and he had by no means mustered for this war all his resources. In the absence of any Roman or other naval power worth mentioning, the Pontic fleet, with Sinope and the ports of the Crimea as its rallying points, had exclusive command of the Black Sea.

During these aggressions on all sides and the formation of this imposing power—the development of which occupied perhaps a period of twenty years—the Roman senate was a patient on-looker. It was passive, while one of its dependent states became developed into a great military power, having at command more than a hundred thousand armed men; while the ruler of that state entered into the closest connection with

and far distant protecting power; while, in fine, he even established himself in Europe and ruled as king over the Tauric peninsula, and as lord-protector almost to the Macedono-Thracian frontier. These circumstances indeed formed the subject of discussion in the senate; but when the illustrious corporation consoled the fact Nico- medes to much

Mithradates had driven from the Crimea, turned for help to Rome, those of the senators who at all reflected on the traditional maxims of Roman policy could not but recollect that formerly, under circumstances so wholly different, the crossing of king Antiochus to Europe and the occupation of the Thracian Chersonese by his troops had become the signal for the Asiatic war (ii. 244), and could not but see that the occupation of the

Tauric Chersonese by the Pontic king ought still less to be tolerated now. The scale was at last turned by the practical reunion of the kingdom of Cappadocia, respecting which, moreover, Nicomedes of Bithynia—who on his part had hoped to gain possession of Cappadocia by another Pseudo-Ariarathes, and now saw that the Pontic pretender excluded his own—would not fail to urge the Roman government to intervention. The senate resolved that Mithradates should reinstate the Scythian princes—so far were they driven out of the track of right policy by their negligent style of government, that instead of supporting the Hellenes against the barbarians they had now on the contrary to support the Scythians against those who were half their countrymen. Paphlagonia was declared independent, and the Pseudo-Pylaemenes of Nicomedes as well as Mithradates were directed to evacuate the portions of the country which they had occupied. In like manner the Pseudo-Ariarathes was to retire from Cappadocia, and, as the representatives of the country refused the freedom proffered to it, a king was once more to be appointed by free popular election. The decrees sounded energetic enough; only it was an error, that instead of sending an army they directed the governor of Cilicia, Lucius Sulla, with the handful of troops whom he commanded there against the pirates and robbers, to interfere in Cappadocia. Fortunately the remembrance of the former energy of the Romans defended their interests in the East better than the existing government did, and the energy and versatility of the governor supplied what the senate lacked in both respects. Mithradates kept back and contented himself with inducing Tigranes the great king of Armenia, who held a more free position with reference to the Romans than he did, to send troops to Cappadocia. Sulla quickly collected his forces and the contingents of the Asiatic allies, crossed the Taurus, and drove the governor Gordius along with his Armenian auxiliaries out of Cappadocia. This proved effectual. Mithradates yielded on all points; Gordius had to assume the blame of the Cappadocian troubles, and the Pseudo-Ariarathes disappeared; the election of king, which the Pontic faction had vainly attempted to direct towards Gordius, fell on the estimable Cappadocian Ariobarzanes.

When Sulla in following out his expedition arrived in the region of the Euphrates, in whose waters the Roman standards were then for the first time reflected, the Romans came for the first time into contact with the Parthians, who in consequence

of the variance between them and Tigranes had occasion to make approaches to the Romans. On both sides there seemed a feeling that it was of some moment, in this first contact between the two great powers of the East and the West, that neither

dacia and the Parthian ambassador Sulla's name was more increased by this greatly celebrated conference on the Euphrates than by his victories in the East, the Parthian envoy afterwards forfeited his life to his master's resentment. But for the moment this contact had no further result. The other decrees of the senate against Mithradates were carried into effect, Paphlagonia was evacuated, the restoration of the Scythian chieftains was at least promised by Mithradates, the earlier *status quo* in the East seemed to be restored (667).

So it was alleged but in fact there was little trace of any real return of the former order of things. Scarce had Sulla left Asia, when Tigranes king of Great Armenia fell upon Ariobarzanes the new king of Cappadocia, expelled him, and rein-

people and by the Roman senate as legitimate king, his younger brother Socrates came forward as pretender to the crown and possessed himself of the sovereignty. It was clear that the real author of the Cappadocian as of the Bithynian troubles was no other than Mithradates, although he refrained from taking any official part. Every one knew that Tigranes only acted at his beck, troops, assassins

maintained themselves in the interior, but Mithradates com-

farther

The Roman government, appealed to for aid by the kings Ariobarzanes and Nicomedes in person, despatched to Asia Minor in support of Lucius Cassius who was governor there the consular Manius Aquilius, an officer tried in the Cimbrian and

Sicilian wars—not, however, as general at the head of an army, but as an ambassador—and directed the Asiatic client states and Mithradates in particular to lend armed assistance in case of need. The result was as it had been two years before. The Roman officer accomplished the commission entrusted to him with the aid of the small Roman corps which the governor of the province of Asia had at his disposal, and the levy of the free Phrygians and Galatians; king Nicomedes and king Ariobarzanes again ascended their tottering thrones; Mithradates, although under various pretexts evading the summons to furnish contingents, gave to the Romans no open resistance; on the contrary the Bithynian pretender Socrates was even put to death by his orders ($\frac{664}{90}$).

It was a singular complication. Mithradates was fully convinced that he could do nothing against the Romans in open conflict, and was therefore firmly resolved not to allow matters to come to an open rupture and war with them. Had he not been so resolved, there was no more favourable opportunity for beginning the struggle than the present: just at the time when Aquilius marched into Bithynia and Cappadocia, the Italian insurrection was at the height of its power and might encourage even the weak to declare against Rome; yet Mithradates allowed the year $\frac{664}{90}$ to pass without profiting by the opportunity. Nevertheless he pursued with equal tenacity and activity his plan of extending his territory in Asia Minor. This strange combination of a policy of peace at any price with a policy of conquest was certainly in itself untenable, and was simply a fresh proof that Mithradates did not belong to the class of genuine statesmen; he knew neither how to prepare for conflict like king Philip nor how to submit like king Attalus, but in the true style of a sultan was perpetually fluctuating between a greedy desire of conquest and the sense of his own weakness. But even in this point of view, his proceedings can only be understood, when we recollect that Mithradates had become acquainted by twenty years' experience with the Roman policy of that day. He knew very well that the Roman government were far from desirous of war; that they in fact, looking to the serious danger with which their rule was threatened by the rise of any general of reputation, and with the fresh remembrance of the Cimbrian war and Marius, dreaded war still more if possible than he did himself. He acted accordingly. He was not afraid to demean himself in a way which would have given to any energetic government not fettered by selfish considerations manifold

ground and occasion for declaring war; but he carefully avoided any open rupture which would have placed the senate under the necessity of declaring it. As soon as men appeared to be in earnest he drew back, before Sulla as well as before Aquilius; he hoped, doubtless, that he would not always be confronted by energetic generals, that he too would, as well as Jugurtha, fall in with his Scaurus or Albinus. It must be owned that this hope was not without reason; although the very example of Jugurtha was to confound the interruption of a Roman army with the conquest of the Roman people.

Thus matters stood between peace and war, and looked quite as if they would remain long in the same indecisive position. But it was not the intention of Aquilius to allow this; and, as he could not compel his government to declare war against Mithradates, he made use of Nicomedes for that purpose. The latter, who was under the power of the Roman general and was, therefore, liable for the accumulated war expenses and for

dates. The declaration of war by Mithradates, even when the vessels of Nicomedes closed the Bosphorus against those of Pontus, and his troops marched into the frontier districts of Pontus and laid waste the region of Amastris, Mithradates remained still unshaken in his policy of peace, instead of driving the Bithynians over the frontier, he lodged a complaint with the Roman envoys and asked them either to mediate or to allow him the privilege of self-defence. But he was informed by Aquilius, that he must under all circumstances refrain from war against Nicomedes. That indeed was plain. They had employed exactly the same policy against Carthage; they allowed the victim to be set upon by the Roman hounds and forbade its defending itself against them. Mithradates reckoned himself lost, just as the Carthaginians had done; but, while the Phœnicians yielded from despair, the king of Sinope did the very opposite and assembled his troops and ships. "Does not even he who must succumb," he is reported to have said, "defend himself against the robber?" His son Ariobarzanes received orders to advance into Cappadocia; a message was sent once more to the Roman envoys to inform them of the step to which necessity had driven the king, and to demand their ultimatum. It was to the effect which was to be anticipated. Although neither the Roman senate nor king Mithra-

dates nor king Nicomedes had desired the rupture, Aquillius desired it and war ensued (end of $\frac{66}{85}$).

Mithradates prosecuted the political and military preparations for the passage of arms thus forced upon him with all his characteristic energy. First of all he drew closer his alliance with Tigranes king of Armenia, and obtained from him the promise of an auxiliary army which was to march into western Asia and to take possession of the soil there for king Mithradates and of the movable property for king Tigranes. The Parthian king, offended by the haughty carriage of Sulla, though not exactly coming forward as an antagonist to the Romans, did not act as their ally. To the Greeks the king endeavoured to present himself in the character of Philip and Perseus, as the defender of the Greek nation against the alien yoke of the Romans. Pontic envoys were sent to the king of Egypt and to the last remnant of free Greece, the league of the Cretan cities, and adjured those for whom Rome had already forged her chains to rise now at the last moment and save Hellenic nationality; the attempt was in the case of Crete at least not wholly in vain, and numerous Cretans took service in the Pontic army. Hopes were entertained that the lesser and least of the protected states—Numidia, Syria, the Hellenic republics—would successively rebel, and that the provinces would revolt, particularly western Asia, the victim of unbounded oppression. Efforts were made to excite a Thracian rising, and even to arouse Macedonia to revolt. Piracy, which even previously was flourishing, was now everywhere let loose as a most welcome ally, and with alarming rapidity squadrons of corsairs, calling themselves Pontic privateers, filled the Mediterranean far and wide. With eagerness and delight accounts were received of the commotions among the Roman burgesses, and of the Italian insurrection subdued yet far from extinguished. No direct relations, however, were formed with the discontented and the insurgents in Italy; except that a foreign corps armed and organised in the Roman fashion was created in Asia, the flower of which consisted of Roman and Italian refugees. Forces like those of Mithradates had not been seen in Asia since the Persian wars. The statements that, leaving out of account the Armenian auxiliary army, he took the field with 250,000 infantry and 40,000 cavalry, and that 300 Pontic decked and 100 open vessels put to sea, seem not too exaggerated in the case of a warlike sovereign who had at his disposal the numberless inhabitants of the steppes. His generals, particularly the brothers Neoptolemus and Archelaus,

were experienced and cautious Greek captains; among the soldiers of the king there was no want of brave men who despised death; and the armour glittering with gold and silver and the rich dresses of the Scythians and Medes mingled gaily with the bronze and steel of the Greek troopers. No unity of military organisation, it is true, bound together these parti-coloured masses; the army of Mithradates was just one of those unwieldy Asiatic war machines, which had so often already—on the last occasion exactly a century before at Magnesia—succumbed to a superior military organisation, but still the East was in arms against the Romans, while in the western half of the empire also matters looked far from peaceful.

However much it was in itself a political necessity for Rome to take up arms at this particular moment, for this reason it is not without the rupture of the treaty, and at the same time primarily

from a selfish view to his own interest. For the moment they had no other troops at their disposal in Asia than the small Roman division under Lucius Cassius and the militia of western Asia, and, owing to the military and financial distress in which

the Roman army was at the time, the king's army of the insurrectionary provinces was not only more numerous, but also more experienced and more united than the Roman army.

stood—the Bithynian army under king Nicomedes in its position taken up in the previous year in the Paphlagonian territory between Amastris and Sinope, and the divisions under Lucius Cassius, Manius Aquilius, and Quintus Oppius, farther back in the Bithynian, Galatian, and Cappadocian territories, while the Bithyno-Roman fleet continued to blockade the Bosphorus.

In the beginning of the spring of 63 B.C. Mithradates assumed the offensive. On a tributary of the Halys, the Amnias (near the modern Tschekopri), the Pontic vanguard of cavalry and light-armed troops encountered the Bithynian army, and notwithstanding its very superior numbers so broke it at the first onset that the beaten army dispersed and the camp and military chest fell into the hands of the victors. It was mainly to Neoptolemus and Archelaus that the king was indebted for this brilliant success. The far more wretched Asiatic militia, stationed farther back, thereupon gave themselves up as vanquished, even before they encountered the enemy; when the

generals of Mithradates approached them, they dispersed. A Roman division was defeated in Cappadocia; Cassius sought to keep the field in Phrygia with the militia, but he discharged it again without venturing on a battle, and threw himself with his few trustworthy troops into the towns on the upper Maeander, particularly into Apamea. Oppius in like manner evacuated Pamphylia and shut himself up in the Phrygian Laodicea; Aquillius was overtaken while retreating at the Sangarius in the Bithynian territory, and so totally defeated that he lost his camp and had to seek refuge at Pergamus in the Roman province; the latter also was soon overrun, and Pergamus itself fell into the hands of the king, as likewise the Bosphorus and the ships that were there. After each victory Mithradates had dismissed all the prisoners belonging to the militia of Asia Minor, and had neglected no step to raise to a higher pitch the national sympathies that were from the first directed towards him. Now the whole country as far as the Maeander was with the exception of a few fortresses in his power; and news at the same time arrived, that a new revolution had broken out at Rome, that the consul Sulla destined to act against Mithradates had instead of embarking for Asia marched on Rome, that the most celebrated Roman generals were fighting battles with each other in order to settle to whom the chief command in the Asiatic war should belong. Rome seemed zealously employed in the work of self-destruction: it is no wonder that, though even now minorities everywhere adhered to Rome, the great body of the natives of Asia Minor joined the Pontic king. Hellenes and Asiatics united in the rejoicing which welcomed the deliverer; it was usual to compliment the king, in whom as in the divine conqueror of the Indians Asia and Hellas once more found a common meeting-point, under the name of the new Dionysus. The cities and islands sent messengers to meet him, wherever he went, and to invite "the delivering god" to visit them; and in festal attire the citizens flocked forth in front of their gates to receive him. Several places delivered the Roman officers sojourning among them in chains to the king; Laodicea thus surrendered Quintus Oppius, the commandant of the town, and Mytilene in Lesbos the consular Manius Aquillius.¹ The whole fury of the barbarian, who gets the man before whom he has trembled into his power, discharged itself on the unhappy author

¹ Retribution came upon the authors of the arrest and surrender of Aquillius twenty-five years afterwards, when after Mithradates' death his son Pharnaces handed them over to the Romans.

of the war The aged man was led throughout Asia Minor, sometimes on foot chained to a powerful mounted Bastarnian, sometimes bound on an ass and proclaiming his own name, and, when at length the pitiful spectacle again arrived at the roval quarters in Pergamus, by the king's orders molten gold was poured down his throat—in order to satiate his avarice, which had really occasioned the war—till he expired in torture

But the king was not content with this savage mockery, which alone suffices to erase the name of its author from the roll of true nobility From Ephesus king Mithradates issued orders to all the governors and cities dependent on him to put to death on one and the same day all Italians residing within their bounds, whether free or slaves, without distinction of sex or age, and on no account, under severe penalties, to aid any of the proscribed to escape, to cast forth the corpses of the slain as a prey to the birds, to confiscate their property and to hand over one half of it to the murderers, and the other half to the king The horrible orders were—excepting in a few districts, such as the island of Cos—punctually executed, and eighty, or according to other accounts one hundred and fifty, thousand—if not innocent, at least defenceless—men, women, and children were slaughtered in cold blood in one day in Asia Minor, a fearful execution, in which the good opportunity of getting rid of debts and the Asiatic servile willingness to perform any executioner's office at the bidding of the sultan had at least as much part as the comparatively noble feeling of revenge In a political point of view this measure was not only without any rational object—for its financial purpose might have been attained without this bloody edict, and the natives of Asia Minor were not to be driven into warlike zeal even by the consciousness of the most blood stained guilt—but even opposed to the king's designs, for on the one hand it compelled the Roman

non Roman Italians This Ephesian massacre was altogether a mere meaningless act of brutally blind revenge, which obtains a false semblance of grandeur simply through the colossal proportions in which the character of sultanic rule was here displayed

The king's views altogether grew high, he had begun the war from despair, but the unexpectedly easy victory and the non arrival of the dreaded Sulla occasioned a transition to the most highflown hopes He made western Asia his home, Pergamus

the seat of the Roman governor became his new capital, the old kingdom of Sinope was handed over to the king's son Mithradates to be administered as a viceroyship; Cappadocia, Phrygia, Bithynia were organised as Pontic satrapies. The grandees of the empire and the king's favourites were loaded with rich gifts and fiefs, and not only were the arrears of taxes remitted, but exemption from taxation for five years was promised, to all the communities—a measure which was as much a mistake as the massacre of the Romans, if the king expected thereby to secure the fidelity of the inhabitants of Asia Minor.

The king's treasury was, no doubt, copiously replenished otherwise by the immense sums which accrued from the property of the Italians and other confiscations; for instance in Cos alone 800 talents (£195,000) which the Jews had deposited there were carried off by Mithradates. The northern portion of Asia Minor and most of the islands belonging to it were in the king's power; except the petty Paphlagonian dynasts, there was hardly a district which still adhered to Rome; the whole Aegean Sea was commanded by his fleets. The south-west alone, the city-leagues of Caria and Lycia and the city of Rhodes, resisted him. In Caria, no doubt, Stratonicea was reduced by force of arms; but Magnesia on the Maeander successfully withstood a severe siege, in which Mithradates' ablest officer Archelaus was defeated and wounded. Rhodes, the asylum of the Romans who had escaped from Asia with the governor Lucius Cassius among them, was assailed on the part of Mithradates by sea and land with immense superiority of force. But his sailors, courageously as they did their duty under the eyes of the king, were awkward novices, and so Rhodian squadrons vanquished those of Pontus four times as strong and returned home with captured vessels. By land also the siege made no progress; after a part of the works had been destroyed, Mithradates abandoned the enterprise, and the important island as well as the mainland opposite remained in the hands of the Romans.

But not only was the Asiatic province occupied by Mithradates almost without defending itself, chiefly through the Sulpician revolution breaking out at a most unfavourable time; Mithradates even directed an attack against Europe. Already since $\frac{66}{2}$ the neighbours of Macedonia on her northern and eastern frontier had been renewing their incursions with remarkable ardour and perseverance; in the years $\frac{66}{90}$, $\frac{66}{89}$ the Thracians overran Macedonia and all Epirus and plundered the temple of

Dodona Still more singular was the circumstance, that with these movements was combined a renewed attempt to place a pretender on the Macedonian throne in the person of one Euphenes Mithradates, who by way of the Crimea maintained connections with the Thracians, was hardly a stranger to all these events. The praetor Gaius Sentius defended himself, it is true, against these intruders with the aid of the Thracian Dentheletae, but it was not long before mightier opponents came against him. Mithradates, carried away by his successes, had formed the bold resolution that he would, like Antiochus, bring the war for the sovereignty of Asia to a decision in Greece, and had by land and sea directed thither the flower of his troops. His son Ariarathes penetrated from Thrace into the weakly

country as he advanced and Abdera and Philippi became
 ations of the Pontic arms in

Europe The Pontic fleet, commanded by Mithradates' best general Archelaus, appeared in the Aegean Sea, where scarce a Roman sail was to be found. Delos, the emporium of the Roman commerce in those waters, was occupied and nearly 20,000 men, mostly Italians, were massacred there, Euboea suffered a similar fate, all the islands to the east of the Malean promontory were soon in the hands of the enemy, they might proceed to attack the mainland itself. The assault, no doubt, which the Pontic fleet made from Euboea on the important Demetrias, was repelled by Bruttius Sura, the brave lieutenant of the governor of Macedonia, with his handful of troops and a few vessels hurriedly collected and he even occupied the island of Sciathus, but he could not prevent the enemy from establishing himself in Greece proper.

There Mithradates carried on his operations not only by arms, but at the same time by national propagandism. His chief instrument for Athens was one Aristion, by birth an Attic slave, by profession formerly a teacher of the Epicurean philosophy, now a minion of Mithradates, an excellent master of persuasion, who by the brilliant career which he pursued at court knew how to dazzle the mob, and gravely to assure them that help was already on the way to Mithradates from Carthage, which had been for about sixty years lying in ruins. These addresses of the new Pericles and the promise of Mithradates to restore to the Athenians the island of Delos which they had formerly possessed were so far effectual that, while the few persons possessed of judgment escaped from Athens, the mob and one

or two literati whose heads were turned formally renounced the Roman rule. So the ex-philosopher became a despot who, supported by his bands of Pontic mercenaries, commenced an infamous and bloody rule; and the Piræus was converted into a Pontic harbour. As soon as the troops of Mithradates gained a footing on the Greek continent, most of the small free states—the Achæans, Laconians, Boeotians—as far as Thessaly joined them. Sura, after having drawn some reinforcements from Macedonia, advanced into Boeotia to bring help to the besieged Thespiæ, and engaged in conflicts with Archelaus and Aristion during three days at Chaeronea; but they led to no decision and Sura was obliged to retire when the Pontic reinforcements from the Peloponnesus approached (end of $\frac{66}{88}$, beginning of $\frac{67}{87}$).

So commanding was the position of Mithradates, particularly by sea, that an embassy of Italian insurgents invited him to make an attempt to land in Italy; but their cause was already by that time lost, and the king rejected the suggestion.

The position of the Roman government began to be critical. Asia Minor and Hellas were wholly, Macedonia to a considerable extent, in the enemy's hands; by sea the Pontic flag ruled without a rival. Then there was the Italian insurrection, which, though baffled on the whole, still held the undisputed command of wide districts of Italy; the barely hushed revolution, which threatened every moment to break out afresh and more formidably; and, lastly, the alarming commercial and monetary crisis (p. 243) occasioned by the internal troubles of Italy and the enormous losses of the Asiatic capitalists, and the want of trustworthy troops. The government would have required three armies, to keep down the revolution in Rome, to crush completely the insurrection in Italy, and to wage war in Asia; it had but one, that of Sulla; for the northern army was, under the untrustworthy Gnaeus Strabo, simply an additional embarrassment. Sulla had to choose which of these three tasks he would undertake; he decided, as we have seen, for the Asiatic war. It was no trifling matter—we should perhaps say, it was a great act of patriotism—that in this conflict between the general interest of his country and the special interest of his party the former retained the ascendancy; and that Sulla, in spite of the dangers which his removal from Italy involved for his constitution and his party, landed in the spring of $\frac{66}{87}$ on the coast of Epirus. But he came not, as Roman commanders-in-chief had been wont to make their appearance in the East. That his

army of five legions or of at most 30,000 men,¹ was little stronger than an ordinary consular army, was the least element of difference. Formerly in the Eastern wars a Roman fleet had never been wanting, and had in fact without exception commanded the sea; Sulla, sent to reconquer two continents and the islands of the Aegean, arrived without a single vessel of war. Formerly the general had brought with him a full chest and drawn the greatest portion of his supplies by sea from home; Sulla came with empty hands—for the sums raised with difficulty for the campaign of 88 were expended in Italy—and found himself exclusively left to depend on requisitions. Formerly the general had found his only opponent in the enemy's camp, and since the close of the struggle between the orders political factions had without exception been united in opposing the public foe; but Romans of note fought under the standards of Mithradates, large districts of Italy desired to enter into alliance with him, and it was at least doubtful whether the democratic party would follow the glorious example that Sulla had set before it, and keep truce with him so long as he was fighting against the Asiatic king. But the vigorous general, who had to contend with all these embarrassments, was not accustomed to trouble himself about more remote dangers before finishing his business in hand. When the proposals of peace finally amounted to a restoration of the status quo, war, met with no acceptance, he advanced just as he had sailed, from the harbours of Piræus to Bocotia, defeated the generals of the enemy Archelaus and Antiochus, and after that victory he sailed for the straits of the whole Grecian peninsula, and entered the harbours of Athens and the Piræus, into which Aristion and Archelaus had thrown themselves, and which he failed to carry by a *coup de main*. A Roman division under Lucius Hortensius occupied Thessaly and Macedonia, another under Munatius Plancius cut off the enemy's communications, and Sulla himself formed a camp at Eleusis and Megara, from whence he commanded Greece and the Peloponnesus, and prosecuted the siege of the city and harbour of Athens. The Hellenic cities, governed as they always were by their immediate fears, submitted unconditionally to the

¹ We must recollect that after the outbreak of the Social War the legions had at least not more than half the number of men which it had previously, as it was no longer accompanied by Italian contingents.

Romans, and were glad when they were allowed to ransom themselves from more severe punishment by supplying provisions and men and paying fines.

The sieges in Attica advanced less rapidly. Sulla found himself compelled to prepare all sorts of heavy besieging implements for which the trees of the Academy and the Lyceum had to supply the timber. Archelaus conducted the defence with equal vigour and judgment; he armed the crews of his vessels, and thus reinforced repelled the attacks of the Romans with superior strength and made frequent and not seldom successful sorties. The Pontic army of Dromichaetes advancing to the relief of the city was defeated under the walls of Athens by the Romans after a severe struggle, in which Sulla's brave legate Lucius Licinius Murena particularly distinguished himself; but the siege did not on that account advance more rapidly. From Macedonia, where the Cappadocians had meanwhile definitely established themselves, plentiful and regular supplies arrived by sea, which Sulla was not in a condition to cut off from the harbour-fortress; in Athens no doubt provisions were beginning to fail, but from the proximity of the two fortresses Archelaus was enabled to make various attempts to throw quantities of grain into Athens, which were not wholly unsuccessful. So the winter of $667-668$ passed away tediously without result. As soon as the season allowed, Sulla threw himself with vehemence on the Piræus; he in fact succeeded by missiles and mines in making a breach in part of the strong walls of Pericles, and immediately the Romans advanced to the assault; but it was repulsed, and on its being renewed crescent-shaped entrenchments were found constructed behind the fallen walls, from which the invaders found themselves assailed on three sides with missiles and compelled to retire. Sulla then abandoned the siege, and contented himself with a blockade. In the meanwhile the provisions in Athens were wholly exhausted; the garrison attempted to procure a capitulation, but Sulla sent back their fluent envoys with the hint that he stood before them not as a student but as a general, and would accept only unconditional surrender. When Aristion, well knowing what fate was in store for him, delayed compliance, the ladders were applied and the city, hardly any longer defended, was taken by storm (1st March 668). Aristion threw himself into the Acropolis, where he soon afterwards surrendered. The Roman general left the soldiery to murder and plunder in the captured city and the more considerable ringleaders of the revolt to be executed;

but the city itself obtained back from him its liberty and its possessions—even Delos, which had just been presented to it by Mithradates—and was thus once more saved by its illustrious dead

The Epicurean schoolmaster had thus been vanquished, but the position of Sulla remained in the highest degree difficult, and even desperate. He had now been more than a year in the field without having advanced a step worth mentioning, a single port mocked all his exertions, while Asia was utterly left to itself, and the conquest of Macedonia by Mithradates' lieutenants had recently been completed by the capture of Amphipolis. Without a fleet—it was becoming daily more apparent—it was not only impossible to secure his communications and supplies in presence of the ships of the enemy and the numerous pirates, but impossible to recover even the Piræus, to say nothing of Asia and the islands, and yet it was difficult to see how ships of war were to be got. As early as the winter of ⁶⁷/₆₇—⁶⁸/₆₈ Sulla had despatched one of his ablest and most expert officers, Lucius Licinius Lucullus, into the eastern waters, to raise ships there if possible. Lucullus put to sea with six open boats, which he had borrowed from the Rhodians and other small communities. He himself merely by an accident escaped from a piratic squadron, which captured most of his boats, deceiving the enemy by changing his vessels he arrived by way of Crete and Cyrene at Alexandria, but the Egyptian court rejected his request for the support of ships of war with equal courtesy and decision. Hardly anything illustrates so clearly as does this fact the sad decay of the Roman state which had once been able gratefully to decline the offer of the kings of Egypt to assist the Romans with all their naval force, and now itself seemed to the Alexandrian statesmen bankrupt. To all this fell to be added the financial embarrassment, Sulla had already been obliged to empty the treasuries of the Olympian Zeus, of the Delphic Apollo, and of the Epidaurian Asklepios, for which the gods were compensated by the moiety, confiscated by way of penalty, of the Theban territory. But far worse than all this military and financial perplexity was the reaction of the political revolution in Rome, the rapid, sweeping, violent accomplishment of which had far surpassed the worst apprehensions capital, entrusted who might be daily looked for in Greece. The soldiers had no

doubt adhered to Sulla, who made every effort to keep them in good humour; but what could be expected, when money and supplies were wanting, when the general was deposed and proscribed, when his successor was on the way, and, in addition to all this, the war against the tough antagonist who commanded the sea was protracted without prospect of a close?

King Mithradates undertook to deliver his antagonist from his perilous position. He it was, to all appearance, who disapproved the defensive system of his generals and sent orders to them to vanquish the enemy with the utmost speed. As early as $\frac{667}{87}$ his son Ariarathes had started from Macedonia to combat Sulla in Greece proper; only the sudden death, which overtook the prince on the march at the Tisacan promontory in Thessaly, had at that time led to the abandonment of the expedition. His successor Taxiles now appeared ($\frac{669}{86}$), driving before him the Roman corps stationed in Thessaly, with an army of, it is said, 100,000 infantry and 10,000 cavalry at Thermopylae. Dromichaetes joined him. Archelaus also — compelled, apparently, not so much by Sulla's arms as by his master's orders — evacuated the Piraeus first partially and then entirely, and joined the Pontic main army in Boeotia. Sulla, after having given orders that the Piraeus with all its greatly admired fortifications should be destroyed, followed the Pontic army, in the hope of being able to fight a pitched battle before the arrival of Flaccus. In vain Archelaus advised that they should avoid such a battle, but should keep the sea and the coast occupied and the enemy in suspense. Now just as formerly under Darius and Antiochus, the masses of the Orientals, like animals terrified in the midst of a fire, flung themselves hastily and blindly into battle, and did so on this occasion more foolishly than ever, since the Asiatics might perhaps have had to wait but a few months in order to be the spectators of a battle between Sulla and Flaccus.

In the plain of the Cephissus not far from Chaeronea, in March $\frac{668}{86}$, the armies met. Even including the division driven back from Thessaly, which had succeeded in accomplishing its junction with the Roman main army, and including the Greek contingents, the Roman army found itself opposed to a foe three times as strong and particularly to a cavalry far superior and from the nature of the field of battle very dangerous, against which Sulla found it necessary to protect his flanks by digging trenches, while in front he caused a chain of palisades to be introduced between his first and second lines for protection against the

enemy's war-chariots. When the war chariots rolled on to open the battle, the first line of the Romans withdrew behind this row of stakes. The chariots, rebounding from it and scared by the Roman slingers and archers, threw themselves on their own line and carried confusion both into the Macedonian phalanx and into the corps of the Italian refugees. Archelaus brought up in haste his cavalry from both flanks and sent it to engage

courageously withstood the horsemen assailing them on every side. Meanwhile Sulla himself on the right wing led his cavalry against the exposed flank of the enemy, the Asiatic infantry gave way before it was even properly engaged, and its giving way carried confusion also into the masses of the cavalry. A general attack of the Roman infantry, which through the wavering demeanour of the hostile cavalry gained time to breathe, decided the victory. The closing of the gates of the camp which Archelaus ordered to check the flight, only increased the slaughter, and when the gates at length were opened, the Romans entered at the same time with the Asiatics. It is said that Archelaus brought not a twelfth part of his force in safety to Chalcis, Sulla followed him to the Euripus, he was not in a position to cross that narrow arm of the sea.

It was a great victory, but the results were trifling partly because of the want of a fleet, partly because the Roman conqueror instead of pursuing the vanquished was under the necessity in the first instance of protecting himself against his own countrymen. The sea was still exclusively covered by Pontic squadrons, which now showed themselves even to the westward of the Malean promontory, even after the battle of Chaeronea. Archelaus landed troops on Zacynthus and made an attempt to establish himself on that island. Moreover Lucius Flaccus had in the meanwhile actually landed with two legions in Epirus, not without having sustained severe loss on the way from storms and from the war vessels of the enemy cruising in the Adriatic, his troops were already in Thessaly, Sulla had in the first instance to turn thither. The two Roman armies encamped over against each other at Melitaea on the northern slope of Mount Othrys, a collision seemed inevitable. But Flaccus, after he had opportunity of convincing himself that Sulla's soldiers were by no means inclined to betray their victorious leader to the totally unknown democratic commander-in-chief,

but that on the contrary his own advanced guard began to desert to Sulla's camp, evaded a conflict to which he was in no respect equal, and set out towards the north, with the view of getting through Macedonia and Thrace to Asia and there paving the way for further results by subduing Mithradates. That Sulla should have allowed his weaker opponent to depart without hindrance, and instead of following him should have returned to Athens, where he seems to have passed the winter of $\frac{66^8}{66^9}$ — $\frac{66^8}{66^9}$, is in a military point of view surprising. We may suppose perhaps that in this also he was guided by political motives, and that he was sufficiently moderate and patriotic in his views willingly to forego a victory over his countrymen at least so long as they had still the Asiatics to deal with, and to find the most tolerable solution of the unhappy dilemma in allowing the armies of the revolution in Asia and of the oligarchy in Europe to fight against the common foe.

In the spring of $\frac{66^8}{66^9}$ there was again fresh work in Europe. Mithradates, who continued his preparations indefatigably in Asia-Minor, had sent an army not much less than that which had been extirpated at Chaeronea, under Dorylaeus to Euboea; thence it had, after a junction with the remains of the army of Archelaus, passed over the Euripus to Boeotia. The Pontic king, who judged of what his army could do by the standard of victories over the Bithynian and Cappadocian militia, did not understand the unfavourable turn which things had taken in Europe; the circles of the courtiers were already whispering as to the treason of Archelaus; peremptory orders were issued to fight a second battle at once with the new army, and not to fail on this occasion in annihilating the Romans. The master's will was carried out, if not in conquering, at least in fighting. The Romans and Asiatics met once more in the plain of the Cephissus, near Orchomenus. The numerous and excellent cavalry of the latter flung itself impetuously on the Roman infantry, which began to waver and give way: the danger was so urgent, that Sulla seized a standard and advancing with his adjutants and orderlies against the enemy called out with a loud voice to the soldiers that, if they should be asked at home where they had abandoned their general, they might reply—at Orchomenus. This had its effect; the legions rallied and vanquished the enemy's horse, after which the infantry were overthrown with little difficulty. On the following day the camp of the Asiatics was surrounded and stormed; far the greatest portion of them fell or perished in the Copaic marshes; a few

only, Archelaus among the rest, reached Euboea. The Boeotian communities had severely to pay for their renewed revolt from
 Nothing opposed

European continent in general was cleared up by the end of the third year of the war (⁶⁸⁸83) Sulla was able to take up winter quarters in Thessaly, with a view to begin the Asiatic campaign in the spring of ⁶⁷⁰84,¹ for which purpose he gave orders

Asia Minor also had undergone a more than once come forward as his rule with us- sion of taxes, their brief rejoicing had been too bitterly followed by disappointment. He had very soon emerged in his true character, and had begun to exercise a despotism far surpassing the tyranny of the Roman governors—a despotism which drove even the patient inhabitants of Asia Minor to open revolt. The sultan again resorted to the most violent expedients. His decrees granted independence to the places which turned to him, citizenship to the *metoeci*, full remission of debts to the debtors, lands to those that had none, freedom to the slaves; nearly 15,000 such manumitted slaves fought in the army of Archelaus. The most fearful scenes were the result of this high-handed subversion of all existing order. The most considerable mercantile cities, Smyrna, Colophon, Ephesus, Tralles, Sardes, closed their gates against the king's governors or put them to death, and declared for Rome.² On

details, enveloped in an most, only partially the same day as the in afterwards, perhaps feeding Thessalian and the remainder of ⁶⁶⁸83 ill more fill more at Sulla

not in ⁶⁸⁸83, but in 84

¹ The resolution of the citizens of Ephesus to this effect has recently been found (Waddington, *Additions to Lebas, Inscr. lu 136 a*). They had, according to their own statement, fallen into the power of Mithradates "the king of Cappadocia," being frightened by the magnitude of his forces

the other hand the king's lieutenant Diodorus, a philosopher of note like Aristion, of another school, but equally available for the worst of services, under the instructions of his master caused the whole town-council of Adramyttium to be put to death. The Chians, who were suspected of an inclination to Rome, were fined in the first instance in 2000 talents (£480,000) and, when the payment was found not correct, they were *en masse* put on board ship and deported in chains under the charge of their own slaves to the coast of Colchis, while their island was occupied with Pontic colonists. The king gave orders that the chiefs of the Celts in Asia Minor should all be put to death along with their wives and children in one day, and that Galatia should be converted into a Pontic satrapy. Most of these bloody edicts were carried into effect either at Mithradates' own headquarters or in Galatia, but the few who escaped placed themselves at the head of their powerful tribes and expelled Eumachus, the governor of the king, out of their bounds. It may readily be conceived that such a king would be pursued by the daggers of assassins; sixteen hundred men were condemned to death by the royal courts of inquisition as having been implicated in such conspiracies.

While the king was thus by his suicidal fury provoking his temporary subjects to rise in arms against him, he was at the same time hard pressed by the Romans in Asia, both by sea and by land. Lucullus, after the failure of his attempt to lead forth the Egyptian fleet against Mithradates, had with better success repeated his efforts to procure vessels of war in the Syrian maritime towns, and reinforced his nascent fleet in the ports of Cyprus, Pamphylia, and Rhodes till he found himself strong enough to proceed to the attack. He dexterously avoided the measuring himself against superior forces and yet obtained no inconsiderable advantages. The Cnidian island and peninsula were occupied by him, Samos was assailed, Colophon and Chios were wrested from the enemy.

Meanwhile Flaccus had proceeded with his army through Macedonia and Thrace to Byzantium, and thence, passing the straits, had reached Chalcedon (end of $\frac{668}{8}$). There a military insurrection broke out against the general, ostensibly because he embezzled the spoil from the soldiers. The soul of it was one of the chief officers of the army, a man whose name had become

and the suddenness of his attack; but, when opportunity offered, they declared war against him "for the rule (*ἡγεμονία*) of the Romans and the common weal."

a proverb in Rome for a true mob-orator, Gaius Flavius Fimbria, who, after having differed with his commander in-chief, transferred the demagogic practices which he had begun in the Forum to the camp. Flaccus was deposed by the army and soon afterwards put to death at Nicomedia, not far from Chalcedon, Fimbria was installed by decree of the soldiers in his stead. As a matter of course he allowed his troops every indulgence, in the friendly Cyzicus, for instance, the citizens were ordered to surrender all their property to the soldiers on pain of death, and by way of warning example two of the most respectable citizens were at once executed. Nevertheless in a military point of view the change of commander in-chief was a gain, Fimbria was not, like Flaccus, an incapable general, but energetic and talented. At Miletopolis (on the Rhyndacus to the west of Brussa) he defeated the younger Mithradates, who as governor of the satrapy of Pontus had marched against him, completely in a nocturnal assault, and by this victory opened his way to

of there embarking. Just at that moment Lucullus appeared in those waters with his fleet, Fimbria adjured him to render assistance so that he might be enabled to capture the king. But the Optimate was stronger in Lucullus than the patriot, he sailed onward and the king escaped to Mitylene. The situation of Mithradates was even thus sufficiently embarrassed. At the end of ⁶⁸₈₅ Europe was lost, Asia Minor was partly in

the Trojan coast by two successful naval engagements at the promontory of Lectum and at the island of Tenedos, it was joined there by the ships which had in the meanwhile been built by Sulla's orders in Thessaly, and by its position commanding the Hellespont it secured to the general of the Roman senatorial army a safe and easy passage next spring to Asia.

Mithradates attempted to negotiate. Under other circumstances no doubt the author of the edict for the Ephesian massacre could never have cherished the hope of being admitted at all to terms of peace with Rome, but amidst the internal convulsions of the Roman republic, when the ruling government had declared the general sent against Mithradates an outlaw and subjected his partisans at home to the most fearful

persecutions, when one Roman general opposed the other and yet both stood opposed to the same foe, he hoped that he should be able to obtain not merely a peace, but a favourable peace. He had the choice of applying to Sulla or to Fimbria; he caused negotiations to be instituted with both, yet it seems from the first to have been his design to come to terms with Sulla, who, at least from the king's point of view, seemed decidedly superior to his rival. His general Archelaus, as instructed by his master, asked Sulla to cede Asia to the king and to expect in return the king's aid against the democratic party in Rome. But Sulla, cool and clear as ever, while urgently desiring a speedy settlement of Asiatic affairs on account of the position of things in Italy, estimated the advantages of the Cappadocian alliance for the war impending over him in Italy as very slight, and was altogether too much of a Roman to consent to so disgraceful and so injurious a concession.

In the peace conferences, which took place in the winter of $\frac{669}{85} = \frac{670}{84}$, at Delium on the coast of Boeotia opposite to Euboea, Sulla distinctly refused to cede even a foot's-breadth of land, but, with good reason faithful to the old Roman custom of not increasing after victory the demands made before battle, did not go beyond the conditions previously laid down. He required the restoration of all the conquests made by the king and not wrested from him again—Cappadocia, Paphlagonia, Galatia, Bithynia, Asia Minor and the islands—the surrender of prisoners and deserters, the delivering up of the eighty war-vessels of Archelaus to reinforce the still insignificant Roman fleet; lastly, pay and provisions for the army and the very moderate sum of 3000 talents (£720,000) as indemnity for the expenses of the war. The Chians carried off to the Black Sea were to be sent home, the families of the Macedonians who were friendly to Rome and had become refugees were to be restored, and a number of war-vessels were to be delivered to the cities in alliance with Rome. Respecting Tigranes, who in strictness ought likewise to have been included in the peace, there was silence on both sides, since neither of the contracting parties cared for the endless further arrangements which would be occasioned by making him a party. The king thus retained the state of possession which he had before the war, nor was he subjected to any humiliation affecting his honour.¹ Archelaus,

¹ The statement that Mithradates in the peace stipulated for impunity to the towns which had embraced his side (Memnon, 35) seems, looking to the character of the victor and of the vanquished, far from credible,

clearly perceiving that much comparatively beyond expectation was obtained and that more was not obtainable, concluded the preliminaries and an armistice on these conditions, and withdrew the troops from the places which the Asiatics still possessed in Europe.

But Mithradates rejected the peace and demanded at least that the Romans should not insist on the surrender of the war vessels and should concede to him Paphlagonia, while he at the same time asserted that Fimbria was ready to grant him far more favourable conditions. Sulla, offended by this placing of his offers on an equal footing with those of a private adventurer, and having already gone to the utmost measure of concession, broke off the negotiations. He had employed the interval to reorganise Macedonia and to chastise the Dardani, Sinti, and Maedi, in doing which he at once procured booty for his army and drew nearer Asia, for he was resolved at any rate to go thither, in order to come to a reckoning with Fimbria. He now at once put his legions stationed in Thrace as well as his fleet in motion towards the Hellespont. Then at length Archelaus succeeded in wringing from his obstinate master a reluctant consent to the treaty, for which he was subsequently regarded with an evil eye at court as the author of the injurious peace, and even accused of treason, so that some time afterwards he

pointment doubtless at not receiving the expected spoil of Asia probably contributed to that murmuring more than their indignation—in itself very justifiable—that the barbarian prince, who had murdered eighty thousand of their countrymen and had brought unspeakable misery on Italy and Asia, should

applications thwarted in a most vexatious way a task which was in a military point of view so simple, and compelled him after such victories to content himself with such a peace. But the self-denial and the sagacity with which he had conducted this whole war were only displayed afresh in the conclusion of this peace, for war with a prince, to whom almost the whole coast

and it is not given by Appian or by Licinianus. They neglected to draw up the treaty of peace in writing and this neglect afterwards left room for various misrepresentations.

of the Black Sea belonged, and whose obstinacy was clearly displayed by the very last negotiations, would still under the most favourable circumstances require years, and the situation of Italy was such that it seemed almost too late even for Sulla to oppose the party in power there with the few legions which he possessed.¹ Before this could be done, however, it was absolutely necessary to overthrow the bold officer who was at the head of the democratic army in Asia, in order that he might not at some future time come from Asia to the help of the Italian revolution, just as Sulla now hoped to return from Asia and crush it. At Cypsela on the Hebrus Sulla obtained accounts of the ratification of the peace by Mithradates; but the march to Asia went on. The king, it was said, desired personally to confer with the Roman general and to cement the peace with him; it may be presumed that this was simply a convenient

¹ Armenian tradition also is acquainted with the first Mithradatic war. Ardasches king of Armenia—Moses of Chorene tells us—was not content with the second rank which rightfully belonged to him in the Persian (Parthian) empire, but compelled the Parthian king Arsachagan to cede to him the supreme power, whereupon he had a palace built for himself at Persia and had coins struck there with his own image. He appointed Arsachagan viceroy of Persia and his son Dicran (Tigranes) viceroy of Armenia, and gave his daughter Ardaschama in marriage to the great prince of the Iberians Mihrdates (Mithradates) who was descended from Mihrdates satrap of Darius and governor appointed by Alexander over the conquered Iberians, and ruled in the northern mountains as well as over the Black Sea. Ardasches then took Croesus the king of the Lydians prisoner, subdued the mainland between the two great seas (Asia Minor), and crossed the sea with innumerable vessels to subjugate the West. As there was anarchy at that time in Rome, he nowhere encountered serious resistance, but his soldiers killed each other and Ardasches fell by the hands of his own troops. After Ardasches' death his successor Dicrana marched against the army of the Greeks (*i.e.* the Romans) who now in turn invaded the Armenian land; he set a limit to their advance, handed over to his brother-in-law Mihrdates the administration of Madschag (Mazaka in Cappadocia) and of the interior along with a considerable force, and returned to Armenia. Many years afterwards there were still pointed out in the Armenian towns statues of Greek gods by well-known masters, trophies of this campaign.

We have no difficulty in recognising here various facts of the first Mithradatic war, but the whole narrative is evidently confused, furnished with heterogeneous additions, and in particular transferred by patriotic falsification to Armenia. In just the same way the victory over Crassus is afterwards attributed to the Armenians. These Oriental accounts are to be received with all the greater caution, that they are by no means mere popular legends; on the contrary the accounts of Josephus, Eusebius, and other authorities current among the Christians of the fifth century have been amalgamated with the Armenian traditions, and the historical romances of the Greeks and beyond doubt the patriotic fancies also of Moses himself have been laid to a considerable extent under contribution. Bad as is our Occidental tradition in itself, to call in the aid of Oriental tradition in this and similar cases—as has been attempted for instance by the uncritical Saint-Martin—can only lead to still further confusion.

pretext for transferring the army to Asia and there putting an end to Fimbria.

So Sulla, attended by his legions and by Archelaus, crossed the Hellespont; after he had met with Mithradates on its Asiatic shore at Dardanus and had orally concluded the treaty, he made his army continue its march till he came upon the camp of Fimbria at Thyatira not far from Pergamus, and pit-

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Fimbria ordered an

their fellow-citizens,

that they would stand faithfully by each other in battle. An

at the conference which

his appearance, but con-

through one of his officers

as of an insolent tempera-

ment, but he was no postroom, instead of accepting the vessel

which Sulla offered to him and fleeing to the barbarians, he went

to Pergamus and fell on his own sword in the temple of Ask-

lepios Those who were most compromised in his army resorted

to Mithradates or to the pirates, with whom they found ready

reception; the main body placed itself under the orders of Sulla.

Sulla determined to leave these two legions, whom he did not

trust for the impending war, behind in Asia, where the fearful

crisis left for long its lingering traces in the several cities and

districts. The command of this corps and the governorship of

Roman Asia he committed to his best officer, Lucius Licinius

Murena. The revolutionary measures of Mithradates, such as

the liberation of the slaves and the annulling of debts, were of

course cancelled, a restoration, which in many places could not

be carried into effect without force of arms. Justice moreover

was understood the term. The most

taxes were obliged immediately to pay

to valuation the whole arrears of tenths and customs for the last

five years, besides which they had to pay a war-indemnity of

20,000 talents (£4,800,000), for the collection of which Lucullus

was left behind These were measures fearful in their rigour and

dreadful in their effects; but when we recall the Ephesian decree

and its execution, we feel inclined to regard them as a comparatively mild retaliation. That their exactions in other respects were not unusually oppressive, is shown by the value of the spoil afterwards carried in triumph, which amounted in precious metal to only about £1,000,000. The few communities on the other hand that had remained faithful—particularly the island of Rhodes, the province of Lycia, Magnesia on the Maeander—were richly rewarded; Rhodes received back at least a portion of the possessions withdrawn from it after the war against Perseus (ii. 288). In like manner compensation was made as far as possible by free charters and special favours to the Chians for the hardships which they had borne, and to the Ilienses for the insanely cruel maltreatment inflicted on them by Fimbria on account of the negotiations into which they had entered with Sulla. Sulla had already brought the kings of Bithynia and Cappadocia to meet the Pontic king at Dardanus, and had made them all promise to live in peace and good neighbourhood; on which occasion, however, the haughty Mithradates had refused to admit Ariobarzanes who was not descended of royal blood—the slave, as he called him—to his presence. Gaius Scribonius Curio was commissioned to superintend the restoration of the legal order of things in the two kingdoms evacuated by Mithradates.

The goal was thus attained. After four years of war the Pontic king was again a client of the Romans, and a single and settled government was restored in Greece, Macedonia, and Asia Minor; the requirements of interest and honour were satisfied, if not adequately, yet so far as circumstances would allow; Sulla had not only brilliantly distinguished himself as a soldier and general, but had the skill in a path crossed by a thousand obstacles to preserve the difficult mean between bold perseverance and prudent concession. Almost like Hannibal he had fought and conquered, in order that with the forces, which the first victory gave him, he might prepare forthwith for a second and severer struggle. After he had in some degree compensated his soldiers for the fatigues which they had undergone by luxurious winter-quarters in rich Western Asia, he in the spring of 67¹ transferred them in 1600 vessels from Ephesus to the Piræus and thence by the land route to Patrae, where the vessels again lay ready to convey the troops to Brundisium. His arrival was preceded by a report addressed to the senate respecting his campaigns in Greece and Asia, the writer of which appeared to know nothing of his deposition; it was the mute herald of the impending restoration.

CHAPTER IX

CINNA AND SULLA

THE state of suspense and uncertainty existing in Italy when Sulla took his departure for Greece in the beginning of 87 has been already described—the half suppressed insurrection, the principal army under the more than half usurped command of a general whose politics were very doubtful, the confusion and the manifold activity of intrigue in the capital. The victory of the oligarchy by force of arms had, in spite or because of its moderation, made various classes discontented. The capitalists, painfully affected by the blows of the most severe financial crisis which Rome had yet witnessed, were indignant at the government on account of the law which it had issued as to interest, and on account of the Italian and Asiatic wars which it had not prevented. The insurgents, so far as they had laid down their arms, bewailed not only the disappointment of their proud hope that they would obtain equal rights with the ruling burgesses, but also the forfeiture of their venerable treaties and their new position as subjects utterly destitute of rights. The communities between the Alps and the Po were likewise discontented with the partial concessions made to them, and the new burgesses and freedmen were exasperated by the cancelling of the Sulpician laws. The populace of the city suffered amid the general distress, and found it intolerable that the government of the sabre was no longer disposed to acquiesce in the constitutional rule of the bludgeon. The adherents of those outlawed after the Sulpician revolution, who resided in the capital—a body which had remained very numerous in consequence of the remarkable moderation of Sulla—laboured zealously to procure permission for these to return home, and in particular some ladies of wealth and distinction spared for this purpose neither trouble nor money. None of these grounds of *ill humour* were such as to furnish any immediate prospect of a fresh violent collision between the parties, they were in great part of an aimless and temporary nature, but they all fed the general discontent, and had already been more or less concerned in producing the murder of Rufus, the repeated attempts to

assassinate Sulla, the issue of the consular and tribunician elections for ⁶⁶⁷/₈₇ partly in favour of the opposition.

The name of the man whom the discontented had summoned to the head of the state, Lucius Cornelius Cinna, had been hitherto scarcely heard of, except so far as he had distinguished himself as an officer in the Social War. We have less information regarding the personal standing and the original designs of Cinna than regarding those of any other party leader in the Roman revolution. The reason is, to all appearance, simply that a man so thoroughly vulgar and guided by the lowest selfishness had from the first no comprehensive political plans whatever. It was asserted at his very first appearance that he had sold himself for a round sum of money to the new burgesses and the coterie of Marius, and the charge looks very credible; but even were it false, it remains nevertheless significant that suspicion of the sort, such as was never expressed against Saturninus and Sulpicius, attached to Cinna. In fact the movement, at the head of which he put himself, has altogether the appearance of worthlessness both as to motives and as to aims. It proceeded not so much from a party as from a number of dissatisfied persons without strictly political aims or notable support, who had mainly undertaken to carry out the recall of the exiles by legal or illegal means. Cinna seems to have been admitted into the conspiracy only by an after-thought and merely because the intrigue, which in consequence of the restriction of the tribunician powers needed a consul to bring forward its proposals, saw in him among the consular candidates for ⁶⁶⁷/₈₇ its fittest instrument and so pushed him forward as consul. Among the leaders appearing in the second rank of the movement were some abler heads; such was the tribune of the people Gnaeus Papirius Carbo, who had made himself a name by his impetuous popular eloquence, and above all Quintus Sertorius, one of the most talented of Roman officers and a man in every respect excellent, who since his candidature for the tribuneship of the people had been a personal enemy to Sulla and had been led by this quarrel into the ranks of the disaffected to which he did not at all by nature belong. The proconsul Strabo, although at variance with the government, was yet far from going along with this faction.

So long as Sulla was in Italy, the confederates for good reasons remained quiet. But when the dreaded proconsul, yielding not to the exhortations of the consul Cinna but to the urgent state of matters in the East, had embarked, Cinna, supported by the

majority of the college of tribunes, immediately submitted the projects of law which had been concerted as a partial reaction against the Sullan restoration of 666. They embraced the political equalisation of the new burgesses and the freedmen, as Sulpicius had proposed it, and the restitution of those who had been banished in consequence of the Sulpician revolution to their former status. The new burgesses flocked *en masse* to the capital, that along with the freedmen they might terrify, and in case of need force, their opponents into compliance. But the government party was determined not to yield; consul stood against consul, Gnaeus Octavius against Lucius Cinna, and tribune against tribune, both sides appeared in great part armed on the day of voting. The tribunes of the senatorial party interposed their veto; when swords were drawn against them even on the rostra, Octavius employed force against force. His compact bands of armed men not only cleared the Via Sacra and the Forum, but also, disregarding the commands of their more gentle-minded leader, the assembled multitude.

"Octavius' day," as it ne

number of corpses was estimated at ten thousand. Cinna turned on the slaves to purchase freedom for themselves by sharing in the struggle, but his appeal was as unsuccessful as the like appeal of Marius in the previous year, and no course was left to the leaders of the movement but to take flight. The constitution supplied no means of proceeding farther against the chiefs of the conspiracy, so long as their year of office lasted. But a prophet probably more loyal than pious had announced that the consul Cinna and of the six tribunes of

but with this counsel of the gods to the
custodiers of oracles, the consul Cinna was by decree of the senate deprived of his office, Lucius Cornelius Merula was chosen in his stead, and outlawry was pronounced against the chiefs who had fled. It seemed as if the whole crisis were about to end in a few additions to the number of the men who were exiles in Numidia.

Beyond doubt nothing further would have come of the movement, had not the senate with its usual remissness omitted to
the fugitives to quit Italy as soon as possible, and had
as the champions
new in their own

favour to some extent the revolt of the Italians. Without obstruction they appeared in Tibur, in Praeneste, in all the important communities of new burgesses in Latium and Campania, and asked and obtained everywhere money and men for the furtherance of the common cause. Thus supported, they made their appearance among the army besieging Nola. The armies of this period were democratic and revolutionary in their views, wherever the general did not attach them to himself by his personal influence; the speeches of the fugitive magistrates, some of whom, especially Cinna and Sertorius, were favourably remembered by the soldiers in connection with the last campaigns, made a deep impression; the unconstitutional deposition of the popular consul and the interference of the senate with the rights of the sovereign people told on the common soldier, and the gold of the consul or rather of the new burgesses made the breach of the constitution clear to the officers. The Campanian army recognised Cinna as consul and swore the oath of fidelity to him man by man; it became a nucleus for the bands that flocked in from the new burgesses and even from the allied communities; a considerable army, though consisting mostly of recruits, soon moved from Campania towards the capital. Other bands approached it from the north. On the invitation of Cinna those who had been banished in the previous year had landed at Telamon on the Etruscan coast. There were not more than some 500 armed men, for the most part slaves of the refugees and enlisted Numidian horsemen; but, as Gaius Marius had in the previous year been willing to fraternise with the rabble of the capital, so he now ordered the *ergastula* in which the landholders of this region shut up their field-labourers during the night to be broken open, and the arms which he offered to these for the purpose of achieving their freedom were not despised. Reinforced by these men and the contingents of the new burgesses, as well as by the exiles who flocked to him with their partisans from all sides, he soon numbered 6000 men under his eagles and was able to man forty ships, which took their station before the mouth of the Tiber and gave chase to the cornships sailing towards Rome. With these he placed himself at the disposal of the "consul" Cinna. The leaders of the Campanian army hesitated; the more sagacious, Sertorius in particular, seriously pointed out the danger of too closely connecting themselves with a man whose name would necessarily place him at the head of the movement, and who yet was notoriously incapable of any statesmanlike action and haunted

by an insane thirst for revenge, but Cinna disregarded these scruples, and confirmed Marius in the supreme command in Etruria and at sea with proconsular powers

Thus the storm gathered around the capital, and the government could no longer delay bringing forward their troops to protect it¹. But the forces of Metellus were detained by the Italians in Samnium and before Nola, Strabo alone was in a position to hasten to the help of the capital. He appeared and pitched his camp at the Colline gate with his numerous and experienced army he might doubtless have rapidly and totally annihilated the still weak bands of insurgents, but this seemed to be no part of his design. On the contrary he allowed Rome to be actually invested by the insurgents. Cinna with his corps and that of Carbo took post on the right bank of the Tiber opposite to the Janiculum, Sertorius on the left bank confronting Pompeius over against the Servian wall. Marius with his band which had gradually increased to three legions, and in possession of a number of war vessels, occupied one place on the coast after another till at length even Ostia fell into his hands through treachery, and, by way of prelude as it were to the approaching reign of terror was abandoned by the general to the savage band for massacre and pillage. The capital was placed, even by the mere obstruction of traffic, in great danger, by command of the senate the walls and gates were put in a state of defence and the burgess levy was ordered to the Janiculum. The inaction of Strabo excited among all classes alike surprise and indignation. The suspicion that he was negotiating secretly with Cinna was natural, but was probably without foundation. A serious conflict in which he engaged the band of

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in fact the insurgents were successfully beaten out against him much loss, showed that he was far from intending to unite with, or rather to place himself under, the leaders of the insurgents. It seems rather to have been his design to sell his assistance in subduing the insurrection to the alarmed government and citizens of the capital at the price of the consulship for the next year, and thereby to get the reins of government into his own hands

1. + f. l. ous & l. ased in substance or
communicates &
ables us to perceive
than was possible

before

The senate was not, however, inclined to throw itself into the arms of one usurper in order to escape from another, and sought help elsewhere. The franchise was by decree of the senate supplementarily conferred on all the Italian communities involved in the Social War, which had laid down their arms and had in consequence thereof forfeited their old alliance.¹ It seemed as it were their intention officially to demonstrate that Rome in the war against the Italians had staked her existence for the sake not of a great object but of her own vanity: in the first momentary embarrassment, for the purpose of bringing into the field an additional thousand or two of soldiers, she sacrificed everything which had been gained at so terribly dear a cost in the Social War. In fact, troops arrived from the communities who reaped the benefit of this concession; but instead of the many legions promised, their contingent on the whole amounted to not more than, at most, ten thousand men. It was of more moment that an agreement should be come to with the Samnites and Nolans, so that the troops of the thoroughly trustworthy Metellus might be employed for the protection of the capital. But the Samnites made demands which recalled the yoke of Caudium—restitution of the spoil taken from the Samnites and of their prisoners and deserters, renunciation of the booty wrested by the Samnites from the Romans, the bestowal of the franchise on the Samnites themselves as well as on the Romans who had passed over to them. The senate rejected even in this emergency terms of peace so disgraceful, but instructed Metellus to leave behind a small division and to lead in person all the troops that could at all be dispensed with in southern Italy as quickly as possible to Rome. He obeyed. But the consequence was, that the Samnites attacked and defeated Plautius the legate left behind by Metellus and his weak band; that the garrison of Nola marched out and set on fire the neighbouring town of Abella in alliance with Rome; that Cinna and Marius, moreover, granted to the Samnites everything they asked—what mattered Roman honour to them?—and a Samnite contingent reinforced the ranks of the insurgents. It was a severe loss also, when after a combat unfavourable to the troops of the government Ariminum was occupied by the insurgents and thus the important communication between Rome and the

¹ P. 241. That there was no confirmation by the comitia, is clear from Cic. *Phil.* xii. 11, 27. The senate seems to have made use of the form of simply prolonging the term of the Plautio-Papirian law (p. 233), a course which by use and wont (i. 315) was open to it and practically amounted to conferring the franchise on all Italians.

valley of the Po, whence men and supplies were expected, was interrupted. Scarcity and famine set in. The large populous city numerously garrisoned with troops was but inadequately supplied with provisions; and Marius in particular took care to cut off its supplies more and more. He had already blocked up the Tiber by a bridge of ships; now by the capture of Antium, Lanuvium, Aricia, and other places he gained control over the means of land communication still open, and at the same time appeased temporarily his revenge by causing all the citizens, wherever resistance was offered, to be put to the sword with the exception of those who had possibly betrayed to him the town. Contagious diseases ensued and committed dreadful ravages among the masses of soldiers densely crowded round the capital; of Strabo's veteran army 11,000, and of the troops of Octavius 6000 are said to have fallen victims to them. Yet the government did not despair; and the sudden death of Strabo was a fortunate event for it. He died not of the pestilence, but—as was alleged at least—of the effects of a thunderbolt which had struck his tent; the masses, exasperated on many grounds against him, tore his corpse from the bier and dragged it through the streets. The remnant of his troops was incorporated by the consul Octavius with his army.

After the arrival of Metellus and the decease of Strabo the army of the government was again at least a match for its antagonists, and was able to array itself for battle against the

Metellus deemed it advisable not to attack the little town, but to lead back the troops to their camp. The Octavians themselves wavered, and fell into variance with each other. While one party, with the honourable but stubborn and shortsighted consul Octavius at their head, perseveringly opposed all concession, the more experienced and more judicious Metellus attempted to bring about a compromise; but his conference with Cinna excited the wrath of the ultras on both sides: Cinna was called by Marius a weakling, Metellus was called by Octavius a traitor. The soldiers, unsettled otherwise and not without cause distrusting the leadership of the untried Octavius, suggested to Metellus that he should assume the chief command, and, when he refused, began in crowds to throw away their arms or even to desert to the enemy. The temper of the burgesses became

daily more depressed and troublesome. On the proclamation of the heralds of Cinna guaranteeing freedom to the slaves who should desert, these flocked in troops from the capital to the enemy's camp. But the proposal that the senate should guarantee freedom to the slaves willing to enter the army was decidedly resisted by Octavius. The government could not conceal that it was defeated, and that nothing remained but to come to terms if possible with the leaders of the band, as the overpowered traveller comes to terms with the captain of robbers. Envoys were sent to Cinna; but, while they foolishly made difficulties as to recognising him as consul, and Cinna in the interval thus occupied transferred his camp close to the city gates, the desertion spread to so great an extent that it was no longer possible to settle any terms. The senate submitted itself unconditionally to the outlawed consul, adding only a request that he would refrain from bloodshed. Cinna promised this, but refused to ratify his promise by an oath; Marius, who kept by his side during the negotiations, maintained a sullen silence.

The gates of the capital were opened. The consul marched in with his legions; but Marius, scoffingly recalling the law of outlawry, refused to set foot in the city until the law allowed him to do so, and the burgesses hastily assembled in the Forum to pass the annulling decree. He then entered, and with him the reign of terror. It was determined not to select individual victims, but to have all the notable men of the Optimate party put to death and to confiscate their property. The gates were closed; for five days and five nights the slaughter continued without interruption; even afterwards the execution of individuals who had escaped or been overlooked was of daily occurrence, and for months the bloody persecution went on throughout Italy. The consul Gnaeus Octavius was the first victim. True to his often expressed principle, that he would rather suffer death than make the smallest concession to men beyond the pale of law, he refused even now to take flight, and in his consular robes awaited at the Janiculum the assassin, who was not slow to appear. Among the slain were Lucius Caesar (consul in $\frac{66}{96}$) the celebrated victor of Acerræ (p. 232); his brother Gaius, whose unseasonable ambition had provoked the Sulpician tumult (p. 245), well known as an orator and poet and as an amiable companion; Marcus Antonius (consul in $\frac{65}{95}$), after the death of Lucius Crassus beyond dispute the first forensic pleader of his time; Publius Crassus (consul in $\frac{65}{97}$) who had

commanded with distinction in the Spanish and in the Social wars and also during the siege of Rome, and a multitude of the most considerable men of the government party, among whom the wealthy were traced out with especial zeal by the greedy executioners. Peculiarly melancholy seemed the death of Lucius Merula, who very much against his own wish had become Cinna's successor, and who now, when criminally impeached on that account and cited before the comitia, in order to anticipate the inevitable condemnation opened his veins, and at the altar of the Supreme Jupiter whose priest he was, after laying aside the priestly headband as the religious duty of the dying Flamen required, breathed his last, and still more the death of Quintus Catulus (consul in 78 B.C.), once in better days the associate of the most glorious victory and triumph of that same Marius who now had no other answer for the suppliant relatives of his aged colleague than the monosyllabic order, "he must die."

The originator of all these outrages was Gaius Marius. He designated the victims and the executioners—only in exceptional cases, as in those of Merula and Catulus, was any form of law observed, not unfrequently a glance or the silence with which he received those who saluted him formed the sentence of death, which was always executed at once. His revenge was not satisfied even with the death of his victim, he forbade the burial of the dead bodies, he gave orders—anticipated, it is true, in this respect by Sulla—that the heads of the senators slain

head of Antonius, whom he had been with difficulty restrained from seeking out in his hiding place, and slaying with his own hand. His legions of slaves, and in particular a division of Ardyaeans (p. 165), chiefly served as his executioners, and did not neglect, amidst these Saturnalia of their new freedom, to plunder the houses of their former masters and to dishonour and murder all whom they met with there. His own associates were in despair at this insane fury, Sertorius adjured the consul to put a stop to it at any price, and even Cinna was alarmed. But in times such as these were, madness itself becomes a power,

least of all had Cinna the courage to do so,

he chose Marius as his colleague in the consulship for the next year. The reign of terror alarmed the more moderate of the victors not much less than the defeated party; the capitalists alone were not displeased to see that another hand lent itself to the work of thoroughly humbling for once the haughty oligarchs, and that at the same time, in consequence of the extensive confiscations and auctions, the best part of the spoil came to themselves—in these times of terror they acquired from the people the surname of the “hoarders.”

Fate had thus granted to the author of this reign of terror, the old Gaius Marius, his two chief wishes. He had taken vengeance on the whole pack of nobles that had embittered his victories and envenomed his defeats; he had been enabled to retaliate for every sarcasm by a stroke of the dagger. Moreover, he entered on the new year once more as consul; the vision of a seventh consulate, which the oracle had promised him, and which he had sought for thirteen years to grasp, had now been realised. The gods had granted to him what he wished; but now too, as in the old legendary period, they practised the fatal irony of destroying man by accomplishing his wishes. In his early consulates the pride, in his sixth the laughing-stock, of his fellow-citizens, he was now in his seventh loaded with the execration of all parties, with the hatred of the whole nation; he, the originally upright, able, gallant man, was branded as the crack-brained chief of a reckless band of robbers. He himself seemed to feel it. His days were passed as in delirium, and by night his couch denied him rest, so that he grasped the wine-cup in order merely to drown thought. A burning fever seized him; after being stretched for seven days on a sick bed, in the wild fancies of which he was fighting on the fields of Asia Minor the battles whose laurels were destined for Sulla, he expired on the 13th January ⁶⁸_{B.C.}. He died, more than seventy years old, in full possession of what he called power and honour, and in his bed; but Nemesis assumes various shapes, and does not always expiate blood with blood. Was there no sort of retaliation in the fact, that Rome and Italy now breathed more freely on the news of the death of the famous saviour of the people than at the tidings of the battle on the Raudine plain?

Even after his death individual incidents no doubt occurred, which recalled that time of terror; Gaius Fimbria, for instance, who more than any other during the Marian butcheries had dipped his hand in blood, made an attempt at the very funeral of Marius to kill the universally revered *pontifex maximus*.

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this respect by Sulla—that the heads of the senators slain should be fixed to the rostra in the Forum, he ordered particular corpses to be dragged through the Forum, and that of Gaius Caesar to be stabbed afresh at the tomb of Quintus Varius, whom Caesar probably had once impeached (p. 233), he publicly embraced the man who delivered to him as he sat at table the head of Antonius, whom he had been with difficulty restrained from seeking out in his hiding place, and slaying with his own hand. His legions of slaves, and in particular a division of Ardyaeans (p. 163), chiefly served as his executioners, and did not neglect, amidst these Saturnalia of their new freedom, to plunder the houses of their former masters and to dishonour and murder all whom they met with there. His own associates were in despair at this insane fury, Sertorius adjured the consul to put a stop to it at any price, and even Cinna was alarmed

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Quintus Scaevola (consul in 653^3) who had been spared even by Marius, and then, when the *pontifex* recovered from the wound he had received, indicted him criminally on account of the offence, as Fimbria jestingly expressed it, of having not been willing to let himself be murdered. But the orgies of murder at any rate were over. Sertorius called together the Marian bandits, under pretext of giving them their pay, surrounded them with his trusty Celtic troops, and caused them to be cut down *en masse* to the number, according to the lowest estimate, of 4000.

Along with the reign of terror came the *tyrannis*. Cinna not only stood at the head of the state for four years in succession ($667^7 \sim 670^9$) as consul, but he regularly nominated himself and his colleagues without consulting the people, it seemed as if these democrats set aside the sovereign popular assembly with intentional contempt. No other chief of the popular party, before or afterwards, possessed so perfectly absolute a power in Italy and in the greater part of the provinces for so long a time almost undisturbed, as Cinna, but no one can be named, whose government was so utterly worthless and aimless. The law proposed by Sulpicius and thereafter by Cinna himself, which promised to the new burgesses and the freedmen equality of suffrage with the old burgesses, was naturally revived, and it was formally confirmed by a decree of the senate as valid in law (670^9). Censors were nominated (668^8) for the purpose of distributing all the Italians, in accordance with it, into the thirty-five tribes—by a singular conjuncture, in consequence of a want of qualified candidates for the censorship the same Philippus, who when consul in 661^3 had been the principal occasion of the miscarriage of Drusus' plan for bestowing the franchise on the Italians (p. 210), was now selected as censor to inscribe them in the burgess rolls. The reactionary institutions established by Sulla in 688^8 were of course overthrown. Some steps were taken to please the proletariat—for instance, the restrictions on the distribution of grain introduced some years ago (p. 223), were probably now once more removed, the design of Gaius Gracchus to found a colony at Capua was in reality carried out in the spring of 673^3 on the proposal of the tribune of the people, Marcus Junius Brutus, Lucius Valerius Flaccus the younger introduced a law as to debt, which reduced every private claim to the fourth part of its nominal amount and cancelled three-fourths in favour of the debtors. But these measures, the only positive ones during the whole Cinna government, were without

exception the dictates of the moment; they were based—and this is perhaps the most shocking feature in this whole catastrophe—not on a plan possibly erroneous, but on no political plan at all. The populace were caressed, and at the same time offended in a very unnecessary way by a meaningless disregard of the constitutional rules of election. The capitalist party might have furnished some support, but it was injured in the most sensitive point by the law as to debt. The true mainstay of the government was—wholly without any co-operation on its part—the new burgesses; their assistance was acquiesced in, but nothing was done to regulate the strange position of the Samnites, who were now nominally Roman citizens, but evidently regarded their country's independence as practically the real object and prize of the struggle and remained in arms to defend it against all and sundry. Illustrious senators were struck down like mad dogs; but not the smallest step was taken to reorganise the senate in the interest of the government, or even permanently to terrify it; so that the government was by no means sure of its aid. Gaius Gracchus had not understood the fall of the oligarchy as implying that the new master might conduct himself on his self-created throne, as legitimate cipher-kings think proper to do. But this Cinna had been elevated to power not by his will, but by pure accident; was there any wonder that he remained where the storm-wave of revolution had washed him up, till a second wave came to sweep him away again?

The same union of the mightiest plenitude of power with the most utter impotence and incapacity in those who held it, was apparent in the warfare waged by the revolutionary government against the oligarchy—a warfare on which its existence primarily depended. In Italy it ruled with absolute sway. Of the old burgesses a very large portion were on principle favourable to democratic views; and the still greater mass of quiet people, while disapproving the Marian horrors, saw in an oligarchic restoration simply the commencement of a second reign of terror by the opposite party. The impression of the outrages of ⁶⁶⁷/₆₇ on the nation at large had been comparatively slight, as they had chiefly affected the mere aristocracy of the capital; and it was moreover somewhat effaced by the three years of tolerably peaceful government that ensued. Lastly the whole mass of the new burgesses—three-fifths perhaps of the Italians—were decidedly, if not favourable to the present government, yet opposed to the oligarchy.

Like Italy, most of the provinces adhered to the democracy—

in the East ($\frac{66^s}{8^h}$), was neither soldier nor officer; Gaius Fimbria who accompanied him was not without ability, but insubordinate; the army assigned to them was even in numbers three times weaker than the army of Sulla. Tidings successively arrived, that Flaccus, in order not to be crushed by Sulla, had marched past him onward to Asia ($\frac{66^s}{8^h}$): that Fimbria had set him aside and installed himself in his room (beginning of $\frac{66^s}{8^h}$); that Sulla had concluded peace with Mithradates ($\frac{66^s}{8^h} \sim \frac{67^s}{4^h}$). Hitherto Sulla had been silent so far as the authorities ruling in the capital were concerned. Now a letter from him reached the senate, in which he reported the termination of the war and announced his return to Italy; he stated that he would respect the rights conferred on the new burgesses, and that, while measures of punishment were inevitable, they would light not on the masses, but on the authors of the mischief. This announcement frightened Cinna out of his inaction: while he had hitherto taken no step against Sulla except the placing some men under arms and collecting a number of vessels in the Adriatic, he now resolved to cross in all haste to Greece.

On the other hand Sulla's letter, which in the circumstances might be called extremely moderate, awakened in the middle-party hopes of a peaceful adjustment. The majority of the senate resolved, on the proposal of the elder Flaccus, to set on foot an attempt at reconciliation, and with that view to summon Sulla to come under the guarantee of a safe-conduct to Italy, and to suggest to the consuls Cinna and Carbo that they should suspend their preparations till the arrival of Sulla's answer. Sulla did not absolutely reject the proposals. Of course he did not come in person, but he sent a message that he asked nothing but the restoration of the banished to their former status and the judicial punishment of the crimes that had been perpetrated, and moreover that he did not desire security to be provided for himself, but proposed to bring it to those who were at home. His envoys found the state of things in Italy essentially altered. Cinna had, without concerning himself further about that decree of the senate, immediately after the termination of its sitting proceeded to the army and urged its embarkation. The summons to trust themselves to the sea at that unfavourable season of the year provoked among the already dissatisfied troops in the head-quarters at Ancona a mutiny, to which Cinna fell a victim (beginning of $\frac{67^s}{4^h}$); whereupon his colleague Carbo found himself compelled to bring back the divisions that had already crossed and, abandoning the idea of taking up the war in Greece,

to enter into winter quarters at Ariminum. But Sulla's offers met no better reception on that account, the senate rejected his proposals without even allowing the envoys to enter Rome, and enjoined him summarily to lay down arms. It was not the coterie of the Marians which primarily brought about this resolute attitude. That faction was obliged to abandon its hitherto usurped occupation of the supreme magistracy at the very time when it was of moment and again to institute consular elections for the decisive year 87. The suffrages on this occasion were united not in favour of the former consul Carbo or of any of the able officers of the hitherto ruling clique, such as Quintus Sertorius or Gaius Marius the younger, but in favour of Lucius Scipio and Gaius Norbanus, two capables, neither of whom knew how to fight and Scipio not even how to speak, the former of these recommended himself to the multitude only as the great grandson of the conqueror of Antiochus, and the latter as a political opponent of the oligarchy (p. 203). The Marians were not so much abhorred for their misdeeds as despised for their incapacity, but if the nation would have nothing to do with these, the great majority of it would have still less to do with Sulla and an oligarchical restoration. Earnest measures of self defence were contemplated. While Sulla crossed to Asia and induced such defection in the army of Fimbria that its leader fell by his own hand, the government in Italy employed the further interval of a year granted to it by these steps of Sulla in energetic preparations. It is said that at Sulla's landing 100,000 men and afterwards even double that number of troops, were arrayed in arms against him.

Against this Italian force Sulla had nothing to place in the scale except his five legions, which, even including some contingents levied in Macedonia and the Peloponnesus probably amounted to scarce 40,000 men. It is true that this army had been during its seven years' conflicts in Italy, Greece, and Asia, weaned from politics, and adhered to its general—who pardoned everything in his soldiers, debauchery, bestiality, even mutiny against their officers, required nothing but valour and fidelity towards their general, and set before them the pros-

in the event of victory —
 which is the more powerful
 passions often combine to

produce it in the same breast. The soldiers of Sulla voluntarily according to the Roman custom swore mutual oaths that they would stand firmly by each other, and each voluntarily brought

to the general his savings as a contribution to the costs of the war. But considerable as was the weight of this solid and select body of troops in comparison with the masses of the enemy, Sulla saw very well that Italy could not be subdued with five legions if it remained united in resolute resistance. To settle accounts with the popular party and their incapable autocrats would not have been difficult; but he saw opposed to him and united with that party the whole mass of those who desired no oligarchic restoration with its terrors, and above all the whole body of new burgesses—both those who had been prevented by the Julian law from taking part in the insurrection, and those whose revolt a few years before had brought Rome to the brink of ruin.

Sulla fully surveyed the situation of affairs, and was far removed from the blind exasperation and the obstinate rigour which characterised the majority of his party. While the edifice of the state was in flames, while his friends were being murdered, his houses destroyed, his family driven into exile, he had remained undisturbed at his post till the public foe was conquered and the Roman frontier was secured. He now treated Italian affairs in the same spirit of patriotic and judicious moderation, and did whatever he could to pacify the moderate party and the new burgesses, and to prevent the civil war from assuming the far more dangerous form of a fresh war between the old Romans and the Italian allies. The first letter which Sulla addressed to the senate had asked nothing but what was right and just, and had expressly disclaimed a reign of terror. In harmony with its terms, he now presented the prospect of unconditional pardon to all those who should even now break off from the revolutionary government, and caused his soldiers man by man to swear that they would meet the Italians thoroughly as friends and fellow-citizens. The most binding declarations secured to the new burgesses the political rights which they had acquired; so that Carbo, for that reason, wished hostages to be furnished to him by every civic community in Italy, but the proposal broke down under general indignation and under the opposition of the senate. The chief difficulty in the position of Sulla really consisted in the fact, that in consequence of the faithlessness and perfidy which prevailed the new burgesses had every reason, if not to suspect his personal designs, to doubt at any rate whether he would be able to induce the majority of the senate to keep their word after the victory.

In the spring of $67\frac{1}{3}$ Sulla landed with his legions in the port

of Brundisium. The senate, on receiving the news, declared the commonwealth in danger, and committed to the consuls unlimited powers; but these incapable leaders had not been on their guard, and were surprised by a landing which had nevertheless been foreseen for years. The army was still at Ariminum, the ports were not garrisoned, and—what is almost incredible—there was not a man under arms at all along the whole south-

and all Messapia and Apulia followed its example. The army marched through these regions as through a friendly country, and mindful of its oath uniformly maintained the strictest discipline. From all sides the scattered remnant of the Optimate party flocked to the camp of Sulla. Quintus Metellus came from the mountain ravines of Liguria, whither he had made his escape

Optimates, indeed, came as emigrants of quality with great pretensions and small desire for fighting, so that they had to listen to bitter language from Sulla himself regarding the noble lords who wished to have themselves preserved for the good of the state and could not even be brought to arm their slaves. It was of more importance, that deserters already made their

other serviceable officers were likewise received and at once employed, even Publius Cethegus, one of the senators banished after the Sulpician *émeute* by Sulla, obtained pardon and a position in the army.

Still more important than these individual accessions was the to like acknowledged the revolutionary government and even took service in Cinna's army; but in his case the fact was not for-

gotten, that his father had borne arms against the revolution; he found himself assailed in various forms and even threatened with the loss of his very considerable wealth by an indictment charging him to give up the booty which was, or was alleged to have been, embezzled by his father after the capture of Asculum. The protection of the consul Carbo, who was personally attached to him, still more than the eloquence of the consular Lucius Philippus and of the young Lucius Hortensius, averted from him financial ruin; but he remained uneasy. On the news of Sulla's landing he went to Picenum, where he had extensive possessions and the best municipal connections derived from his father and the Social War, and set up the standard of the Optimate party in Auximum (Osimo). The district, which was mostly inhabited by old burgesses, joined him; the young men, many of whom had served with him under his father, readily ranged themselves under the courageous leader who, not yet twenty-three years of age, was as much soldier as general, sprang to the front of his cavalry in combat, and vigorously assailed the enemy along with them. The corps of Picenian volunteers soon grew to three legions; divisions under Cloelius, Gaius Albius Carrinas, Lucius Junius Brutus Damasippus,¹ were despatched from the capital to put down the Picenian insurrection, but the extemporised general dexterously taking advantage of the dissensions that arose among them, had the skill to evade them or to beat them in detail and to effect his junction with the main army of Sulla, apparently in Apulia. Sulla saluted him as *imperator*, that is, as an officer commanding in his own name and holding not a subordinate but a parallel position, and distinguished the youth by marks of honour such as he showed to none of his noble clients—probably not without the collateral design of thereby administering an indirect rebuke to the want of energetic character among his own partisans.

Reinforced thus considerably both in a moral and material point of view, Sulla and Metellus marched from Apulia through the still insurgent Samnite districts towards Campania. The main force of the enemy also proceeded thither, and it seemed as if the matter must there be brought to a decisive issue. The army of the consul Gaius Norbanus was already at Capua, where the new colony had just established itself with all democratic pomp; the second consular army was likewise advancing along

¹ We can only suppose this to be the Brutus referred to, since Marcus Brutus the father of the so-called Liberator was tribune of the people in 67⁷ 1, and therefore could not command in the field.

the Appian road But, before it arrived, Sulla was in front of Norbanus A last attempt at mediation, which Sulla made, led only to the arrest of his envoys With fresh indignation his veteran troops threw themselves on the enemy; their vehement charge down from Mount Tifata at the first onset broke the enemy drawn up in the plain, with the remnant of his force he threw himself into the revolutionary colony of Capua

sion as they compared their weak numbers with the enemy, had by this victory gained a full conviction of their military superiority, instead of pausing himself to besiege the remains of the defeated army, Sulla left the towns where they took shelter to be invested, and advanced along the Appian highway against Teanum, where Scipio was posted. To him also, before beginning battle, he made fresh proposals for peace; apparently in good earnest Scipio, weak as he was, entered into them, an armistice was concluded, between Cales and Teanum the two generals, both members of the same noble gens, both men of culture and refinement and for many years colleagues in the senate, met in personal conference, they entered upon the several questions, they made such progress that Scipio despatched a messenger to Capua to procure the opinion of his colleague. Meanwhile the soldiers of the two camps mingled; the Sullans, copiously furnished with money by their general, had no great difficulty in persuading the recruits—not too eager for warfare—over their cups that it was better to have them as comrades than as foes; in vain Sertorius warned the general to put a stop to this dangerous intercourse The agreement, which seemed so near was not effected, it was Scipio who decided that it was too where-
 ral had
 wrongly denounced the alliance, he was to
 the ranks of the enemy The scene closed with an universal
 officers of the revolu-
 consul
 should
 point
 they desired, but Scipio re-
 sumed the insignia of his dignity and began at once to collect troops, without however executing anything further of moment. Sulla and Metellus took up winter quarters in Campania and,

after the failure of a second attempt to come to terms with Norbanus, maintained the blockade of Capua during the winter.

The results of the first campaign in favour of Sulla were the submission of Apulia, Picenum, and Campania, the dissolution of the one, and the vanquishing and blockading of the other, consular army. The Italian communities, compelled severally to choose between their two oppressors, already entered in many instances into negotiations with him, and caused the political rights which had been won from the opposition-party to be guaranteed to them by formal separate treaties on the part of the general of the oligarchy. Sulla cherished the distinct expectation, and intentionally made boast of it, that he would overthrow the revolutionary government in the next campaign and again march into Rome.

But despair seemed to furnish the revolution with fresh energies. The consulship was committed to two of its most decided leaders, to Carbo for the third time and to Gaius Marius the younger; the circumstance that the latter, who was just twenty years of age, could not legally be invested with the consulship, was as little heeded as any other point of the constitution. Quintus Sertorius, who in this and other matters proved an inconvenient critic, was ordered to proceed to Etruria with a view to procure new levies, and thence to his province Hither Spain. To replenish the treasury, the senate was obliged to decree the melting down of the gold and silver vessels of the temples in the capital; that the produce was considerable is clear from the fact, that after several months' warfare there was still on hand nearly £600,000 (14,000 pounds of gold and 6000 pounds of silver). In the considerable portion of Italy, which still voluntarily or under compulsion adhered to the revolution, warlike preparations were prosecuted with vigour. Newly-formed divisions of some strength came from Etruria, where the communities of new burgesses were very numerous, and from the region of the Po. The veterans of Marius in great numbers ranged themselves under the standards at the call of his son. But nowhere were preparations made for the struggle against Sulla with such eagerness as in the insurgent Samnium and some districts of Lucania. It was owing to anything but devotion towards the revolutionary Roman government, that numerous contingents from the Oscan districts reinforced their armies; but it was well understood there that an oligarchy restored by Sulla would not acquiesce in the *de facto* independence of these lands as the lax Cinnan government had now done; and there-

fore the primitive rivalry between the Sabellians and the Latins was roused afresh in the struggle against Sulla. For Samnium and Latium this war was as much a national struggle as the wars of the fifth century, they strove not for a greater or less amount of political rights, but for the purpose of appeasing long suppressed hate by the annihilation of their antagonist. It was no wonder, therefore, that the war in this region bore a character altogether different from the conflicts elsewhere, that no compromise was attempted there, that no quarter was given or taken, and that the pursuit was continued to the very uttermost.

Thus the campaign of 82² was begun on both sides with augmented military resources and increased animosity. The revolution in particular threw away the scabbard at the suggestion of Carbo the Roman comitia outlawed all the senators that should be found in Sulla's camp. Sulla was silent, he probably thought that they were pronouncing sentence beforehand on themselves.

The army of the Optimates was divided. The proconsul Metellus undertook, resting on the support of the Picenian insurrection, to advance to Upper Italy, while Sulla marched from Campania straight against the capital. Carbo threw himself in the way of the former, Marius would encounter the main army of the enemy in Latium. Advancing along the Via Latina, Sulla fell in with the enemy not far from Signia, they retired before him as far as the so-called 'Port of Sacer,' between Signia and the chief stronghold of the Marians, the strong Praeneste. There Marius drew up his force for battle. His army was about 40,000 strong, and he was in savage fury and personal bravery the true son of his father, but his troops were not the well trained bands with which the latter had fought his battles, and still less could this inexperienced young man bear comparison with the old master of war. His troops soon gave way, the defection of a division even during the battle accelerated the defeat. More than the half of the Marians were dead or prisoners, the remnant, unable either to keep the field or to gain the other bank of the Tiber, was compelled to seek protection in the neighbouring fortresses, the capital, which they had neglected to provision, was irrecoverably lost. In consequence of this Marius gave orders to Lucius Brutus Damasippus the praetor commanding death all the party. This proscriptions of his father, was carried into effect, Damasippus

made a pretext for convoking the senate, and the marked men were struck down partly in the sitting itself, partly on their flight from the senate-house. Notwithstanding the thorough clearance previously effected, there were still found several victims of note. Such were the late aedile Publius Antistius, the father-in-law of Gnaeus Pompeius, and the late praetor Gaius Carbo, son of the well-known friend and subsequent opponent of the Gracchi (p. 124), since the death of so many men of more distinguished talent the two best judicial orators in the desolated Forum; the consular Lucius Domitius, and above all the venerable *pontifex maximus* Quintus Scaevola, who had escaped the dagger of Fimbria only to bleed to death during these last throes of the revolution in the vestibule of the temple of Vesta entrusted to his guardianship. With speechless horror the multitude saw the corpses of these last victims of the reign of terror dragged through the streets, and thrown into the river.

The broken bands of Marius threw themselves into Norba and Praeneste, strong cities of new burgesses in the neighbourhood: Marius in person with the treasure and the greater part of the fugitives entered the latter. Sulla left an able officer, Quintus Ofella, before Praeneste just as he had done in the previous year before Capua, with instructions not to expend his strength in the siege of the strong town, but to enclose it with an extended line of blockade and starve it into surrender. He himself advanced from different sides upon the capital, which as well as the whole surrounding district he found abandoned by the enemy, and occupied without resistance. He barely took time to compose the minds of the people by an address and to make the most necessary arrangements, and immediately passed on to Etruria, that in concert with Metellus he might dislodge his antagonists from Northern Italy.

Metellus had meanwhile encountered and defeated Carbo's lieutenant Carrinas at the river Aesis (Esino between Ancona and Sinigaglia), which separated the district of Picenum from the Gallic province; when Carbo in person came up with his superior army, Metellus had been obliged to abstain from any farther advance. But on the news of the battle at Sacriportus, Carbo, anxious about his communications, had retreated to the Flaminian road, with a view to take up his head-quarters at its rallying point Ariminum, and from that point to hold the passes of the Apennines on the one hand and the valley of the Po on the other. In this retrograde movement different divisions fell into the hands of the enemy, and not only so, but Sena Gallica was

stormed and Carbo's rearguard was broken in a brilliant cavalry engagement by Pompeius, nevertheless Carbo attained on the whole his object. The consular Norbanus took the command in the valley of the Po; Carbo himself proceeded to Etruria. But the march of Sulla with his victorious legions to Etruria altered the position of affairs; soon three Sullan armies from Gaul, Umbria, and Rome established communications with each other. Metellus with the fleet went past Ariminum to Ravenna, and at Faventia cut off the communication between Ariminum and the valley of the Po, into which he sent forward a division along the great road to Placentia under Marcus Lucullus, the quaestor of Sulla and brother of his admiral in the Mithradatic war. The young Pompeius and his contemporary and rival

divisions, one of which advancing along the coast defeated the corps opposed to it at Saturnia (between the rivers Ombrone and Albegna), the second led by Sulla in person fell in with the army of Carbo in the valley of the . . . conflict with his Spanish cavalry was fought between Carbo and . . . although it ended without being properly decisive, was so far at any rate in favour of Carbo that Sulla's victorious advance was checked.

In the vicinity of Rome also events appeared to assume a

energies on Etruria, the democracy everywhere put forth the utmost efforts to break the blockade of Praeneste. Even the governor of Sicily Marcus Perpenna set out for that purpose; it does not appear, however, that he reached Praeneste. Nor was the very considerable corps under Marcus, detached by Carbo, more successful, assailed and defeated by the troops of the enemy which were at Spolegium, demoralised by disorder, want of supplies, and mutiny, one portion went to Carbo, another to Ariminum, the rest dispersed. Help in earnest on the other hand came from Southern Italy. There the Samnites under Pontius of Telesia, and the Lucanians under their experi-

enced general Marcus Lamponius, set out without its being possible to prevent their departure, were joined in Campania where Capua still held out by a division of the garrison under Gutta, and thus to the number, it was said, of 70,000 marched upon Praeneste. Thereupon Sulla himself, leaving behind a corps against Carbo, returned to Latium and took up a well-chosen position in the defiles in front of Praeneste, where he intercepted the route of the relieving army.¹ In vain the garrison attempted to break through the lines of Ofella, in vain the relieving army attempted to dislodge Sulla; both remained immovable in their strong positions, even after Damasippus, sent by Carbo, had reinforced the relieving army with two legions.

But while the war stood still in Etruria and in Latium, matters came to a decision in the valley of the Po. There the general of the democracy, Gaius Norbanus, had hitherto maintained the ascendancy, had attacked Marcus Lucullus the legate of Metellus with superior force and compelled him to shut himself up in Placentia, and had at length turned against Metellus in person. He encountered the latter at Faventia, and immediately made his attack late in the afternoon with his troops fatigued by their march; the consequence was a complete defeat and the total breaking up of his corps, of which only about 1000 men returned to Etruria. On the news of this battle Lucullus sallied from Placentia, and defeated the division left behind to oppose him at Fidentia (between Piacenza and Parma). The Lucanian troops of Albinovanus deserted in a body: their leader made up for his hesitation at first by inviting the chief officers of the revolutionary army to banquet with him and causing them to be put to death; in general every one, who could do so, now concluded his peace. Ariminum with all its stores and treasures fell into the power of Metellus; Norbanus embarked for Rhodes; the whole land between the Alps and Apennines acknowledged the government of the Optimates. The troops hitherto employed there were enabled to turn to the attack of Etruria, the last province where their antagonists still kept the field. When Carbo received this news in the camp at Clusium, he lost his

¹ It is stated, that Sulla occupied the defile by which alone Praeneste was accessible (App. i, 90); and the sequel showed that the road to Rome was open to him as well as to the relieving army. Beyond doubt Sulla posted himself on the cross-road which turns off from the Via Latina, along which the Samnites advanced, at Valmontone towards Palestrina; in this case Sulla communicated with the capital by the Praenestine, and the enemy of the Latin or Labican, road.

embarked for Africa. . . .
 the example which their general had set, and went home; part of them were destroyed by Pompeius. Carrinas gathered together the remainder and led them to Latium to join the army of Praeneste. There no change had in the meanwhile taken place; and the final decision drew nigh. The troops of Carrinas were not numerous enough to shake Sulla's position; the vanguard of the army of the oligarchical party, hitherto employed in Etruria, was approaching under Pompeius; in a few days the net would be drawn tight around the army of the democrats and the Samnites.

Its leaders then determined to desist from the relief of Praeneste and to throw themselves with all their united strength on Rome, which was only a good day's march distant. By so doing they were, in a military point of view, ruined; their line of retreat, the Latin road, would by such a movement fall into Sulla's hands, and, even if they got possession of Rome, they would be infallibly crushed there, enclosed as they would be within a city by no means fitted for defence, and wedged in between the far superior armies of Metellus and Sulla. Safety, however, was no longer thought of; revenge alone dictated this march to Rome, the last outbreak of fury in the passionate revolutionists and especially in the despairing Sabellian nation.

It was in earnest, when he called out to his

destroyed. Never was Rome in more . . .
 the 1st November, $\frac{27}{8}$, when Pontius, Lamponius, Carrinas, Damasippus advanced along the Latin road towards Rome, and encamped about a mile from the Colline gate. It was threatened with a day like the 20th July, $\frac{38}{8}$ or the 15th June, 455 A.D.—the days of the Celts and the Vandals. The time was gone by when a *coup de main* against Rome was a foolish enterprise, and the assailants could have no want of connections in the capital. The band of volunteers which sallied from the city, mostly youths of quality, was scattered like chaff before the immense superiority of force. The only hope of safety

accounts of the depar-
 Rome, had likewise
 set out in all haste to the capital. The appear-
 ance of his foremost horsemen under Balbus in the course of the

morning revived the sinking courage of the citizens; about mid-day he appeared in person with his main force, and immediately drew up his ranks for battle at the temple of the Erycine Aphrodite before the Colline gate (not far from Porta Pia). His officers adjured him not to send the troops exhausted by the forced march at once into action; but Sulla took into consideration what the night might bring on Rome, and, late as it was in the afternoon, ordered the attack. The battle was obstinately contested and bloody. The left wing of Sulla, which he led in person, fell back as far as the city wall, so that it became necessary to close the city gates; stragglers even brought accounts to Ofella that the battle was lost. But on the right wing Marcus Crassus overthrew the enemy and pursued him as far as Antemnae; this somewhat relieved the left wing also, and an hour after sunset it in turn began to gain ground. The fight continued the whole night and even on the following morning; it was only the defection of a division of 3000 men, who immediately turned their arms against their former comrades, that put an end to the struggle. Rome was saved. The army of the insurgents, for which there was no retreat, was completely extirpated. The prisoners taken in the battle—between 3000 and 4000 in number, including the generals Damasippus, Carrinas, and the severely wounded Pontius—were by Sulla's orders on the third day after the battle brought to the Villa Publica in the Campus Martius and there massacred to the last man, so that the clatter of arms and the groans of the dying were distinctly heard in the neighbouring temple of Bellona, where Sulla was just holding a meeting of the senate. It was a ghastly execution, and it ought not to be excused; but it is not right to forget that those very men who perished there had fallen like a band of robbers on the capital and the burgesses, and, had they found time, would have destroyed them as far as fire and sword can destroy a city and its citizens.

With this battle the war was, in the main, at an end. The garrison of Praeneste surrendered, when it learned the issue of the battle of Rome from the heads of Carrinas and other officers thrown over the walls. The leaders, the consul Gaius Marius and the son of Pontius, after having failed in an attempt to escape, fell on each other's swords. The multitude cherished the hope, in which it was confirmed by Cethegus, that the victor would even now have mercy upon them. But the times of mercy were past. The more unconditionally Sulla had up to the last moment granted full pardon to those who came over to

him, the more inexorable he showed himself toward the leaders and communities that had held out to the end. Of the Praenestine prisoners, 12,000 in number, most of the Romans and individual Praenestines as well as the women and children were released, but the Roman senators, almost all the Praenestines and the whole of the Samnites, were disarmed and slaughtered; and the rich city was given up to pillage. It was natural that, after such an occurrence, the cities of new burgesses which had not yet passed over should continue their resistance with the utmost obstinacy. In the Latin town of Norba for instance, when Aemilius Lepidus got into it by treason, the citizens killed each other and set fire themselves to their town, solely in order to deprive their executioners of vengeance and of booty. In Lower Italy Neapolis had already been taken by assault, and Capua had, as it would seem, been voluntarily surrendered, but Nola was only evacuated by the Samnites in 474. On his flight from Nola the last surviving leader of note among the Italians, the consul of the insurgents in the hopeful year 474, Gaius Papius Mutilus, disowned by his wife to whom he had stolen in disguise and with whom he had hoped to find an asylum, fell on his sword in Teanum before the door of his own house. As to Samnium, the dictator declared that Rome would have no rest so long as Samnium existed, and that the Samnite name ought therefore to be extirpated from the earth; and, as he verified these words in terrible fashion on the prisoners taken

flourishing and populous region into the desert which it has since remained. In the same manner Tuder in Umbria was stormed by Marcus Crassus. A longer resistance was offered in Etruria by Populonium and above all by the impregnable Volaterrae, which gathered out of the remains of the beaten party an army of four legions, and stood a two years' siege conducted first by Sulla in person and then by the former praetor Gaius Carbo, the brother of the democratic consul, till at length in the third year after the battle at the Colline gate (474) the garrison capitulated on condition of free departure. But in this terrible time neither military law nor military discipline was regarded; the soldiers raised a cry of treason and stoned their too compliant general; a troop of horse sent by the Roman

¹ Hardly any other name, probably, can be concealed under the corrupt reading in Liv 89 *nam in Samnio*, comp Strabo, i 3, 10

after melted away. Sertorius, much too weak to maintain an equal struggle, hastily collected the nearest divisions and embarked at New Carthage—for what destination he knew not himself, perhaps for the coast of Africa, or for the Canary Islands—it mattered little whither, provided only Sulla's arm did not reach him. Spain then willingly submitted to the Sullan magistrates (about $\frac{67}{81}$) and Flaccus fought successfully with the Celts, through whose territory he marched, and with the Spanish Celtiberians ($\frac{67}{80}$)

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officers sojourning there. Marcus Brutus . . . immediately executed; but Pompeius had enjoined that the consul Carbo should be brought before himself at Lilybæum in order that unmindful of the protection accorded to him in a season of peril by that very man (p. 313), he might personally hand him over to the executioner ($\frac{67}{82}$).

Having been ordered to go on to Africa, Pompeius with his army, which was certainly far more numerous, defeated the not inconsiderable forces collected by Ahenobarbus and Hiarbas, and, declining for the time to be saluted as *imperator*, he at once gave the signal for the assault of the enemy's camp. He thus became master of the enemy in one day; Ahenobarbus was among the fallen: with the aid of king Bogud, Hiarbas was seized and slain at Bulla, and Hiempsal was reinstated in his hereditary kingdom, a great razzia against the inhabitants of the desert, among whom a number of Gaetulian tribes recognised as free by Marius were made subject to Hiempsal, revived in Africa also the fallen repute of the Roman name: in forty days after Pompeius' landing in Africa all was at an end ($\frac{67}{83}$). The senate instructed him to break up his army—an implied hint that he was not to be allowed a triumph, to which as an extraordinary magistrate he could according to precedent make no claim. The general murmured secretly, the soldiers loudly; it seemed for a moment as if the African army would revolt against the senate and Sulla would have to take the field against his son-in-law. But Sulla yielded, and allowed the young man to boast of being the only Roman who had become a triumphator before he was . . . in fact the "Fortunate," not perhaps
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Gnaeus when he appeared the island was evacuated by Perpenna without resistance. Pompeius sent a squadron thence to Cossyra, which captured the Marian officers sojourning there. Marcus Brutus and the others were immediately executed; but Pompeius had enjoined that the consul Carbo should be brought before himself at Lilybaeum in order that, unmindful of the protection accorded to him in a season of peril by that very man (p. 313), he might personally hand him over to the executioner (674).

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In the East also, after the embarkation of Sulla in the spring of 67^1 , there had been no cessation of warfare. The restoration of the old state of things and the subjugation of the several towns cost in Asia as in Italy various bloody struggles. Against the free city of Mytilene in particular Lucius Lucullus was obliged at length to bring up troops, after having exhausted all gentler measures; and even a victory in the open field did not put an end to the obstinate resistance of the citizens.

Meanwhile the Roman governor of Asia, Lucius Murena, had fallen into fresh difficulties with king Mithradates. The latter had since the peace busied himself in strengthening anew his dominion, which was shaken even in the northern provinces; he had pacified the Colchians by appointing his able son Mithradates as their governor; he had then made away with that son, and was now preparing for an expedition into his Bosporean kingdom. The assertion of Archelaus who had meanwhile been obliged to seek an asylum with Murena (p. 292), that these preparations were directed against Rome, induced Murena, under the pretext that Mithradates still kept possession of Cappadocian frontier districts, to move his troops towards the Cappadocian Comana and to violate the Pontic frontier (67^1). Mithradates contented himself with complaining to Murena and, when this was in vain, to the Roman government. In fact commissioners from Sulla made their appearance to dissuade the governor, but he did not submit; on the contrary he crossed the Halys and entered on the undisputed territory of Pontus, whereupon Mithradates resolved to repel force by force. His general Gordius had to detain the Roman army till the king came up with far superior forces and compelled battle; Murena was vanquished and with great loss driven back over the Roman frontier to Phrygia, and the Roman garrisons were expelled from all Cappadocia. Murena had the effrontery, no doubt, to call himself the victor and to assume the title of *imperator* on account of these events (67^2); but the sharp lesson and a second admonition from Sulla induced him at last to push the matter no farther; the peace between Rome and Mithradates was renewed (67^3).

This foolish feud, while it lasted, had postponed the reduction of the Mytilenaeans; it was only after a long siege by land and by sea, in which the Bithynian fleet rendered good service, that Murena's successor succeeded in taking the city by storm (67^5).

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The ten years' revolution and insurrection were at an end in the West and in the East; the state had once more unity of

government and peace within and without. After the terrible convulsions of the last years even this rest was a relief. Whether it was to furnish more than a mere relief; whether the remarkable man, who had succeeded in the difficult task of vanquishing the public foe and in the more difficult work of subduing the revolution, would be able to meet satisfactorily the most difficult task of all—the restoration of social and political order shaken to its very foundations—remained to be decided hereafter.

CHAPTER X

THE SULLAN CONSTITUTION

ABOUT the time when the first pitched battle was fought between Romans and Romans, in the night of the 6th July ⁶⁸³₃, the venerable temple, which had been erected by the kings, dedicated by the youthful republic, and spared by the storms of five hundred years—the temple of the Roman Jupiter in the Capitol—perished in the flames. It was no augury, but it was an image of the state of the Roman constitution. This, too, lay in ruins and needed reconstruction. The revolution was no doubt vanquished, but the victory was far from implying as a matter of course the restoration of the old government. The mass of the aristocracy certainly was of opinion that now, after the death of the two revolutionary consuls, it would be sufficient to make arrangements for the ordinary supplemental election and to leave it to the senate to take such steps as should seem farther requisite for the rewarding of the victorious army, for the punishment of the most guilty revolutionists, and possibly also for the prevention of similar outbreaks. But Sulla, in whose hands the victory had concentrated for the moment all power, formed a more correct judgment of things and of men. The aristocracy of Rome in its best epoch had not risen above an adherence—partly noble and partly narrow—to traditional forms; how could the clumsy collegiate government of this period be expected to carry out with energy and thoroughness a comprehensive reform of the state? And at the present moment, when the recent crisis had swept away almost all the leading men of the senate, the vigour and intelligence requisite for such an enterprise were less than ever to be found there. How thoroughly useless was the pure aristocratic blood, and how little doubt Sulla had as to its worthlessness, is shown by the fact that, with the exception of Quintus Metellus who was related to him by marriage, he selected all his instruments out of what was previously the middle party and the deserters from the democratic camp—such as Lucius Flaccus, Lucius Philippus, Quintus Ofella, Gnaeus Pompeius. Sulla was as much in earnest about the restoration of the old constitution as the most vehement

aristocratic emigrant, he understood however, not perhaps to the full extent—for how in that case could he have put hand to the work at all?—but better at any rate than his party, the enormous difficulties which attended this work of restoration. Comprehensive concessions so far a concession was possible without affecting the essence of oligarchy, and the establishment of an energetic system of repression and prevention, were both in his view unavoidable, and he saw clearly that the senate as it stood would refuse or mutilate every concession, and would parliamentarily ruin every systematic reconstruction. If Sulla had already after the Sulpician revolution carried out what he deemed necessary in both respects without asking much of their advice, he was now determined, under circumstances of far more severe and intense excitement, to restore the oligarchy—not with the aid, but in spite, of the oligarchs—by his own hand.

Sulla, however, was not now consul as he had been then, but was furnished merely with proconsular, that is to say, purely military power. He needed an authority preserving with all possible strictness constitutional forms, but yet extraordinary, in order to impose his reform on friends and foes. In a letter to the senate he announced to them that it seemed to him indispensable that they should place the regulation of the state in the hands of a single man equipped with unlimited plenitude of power, and that he deemed himself qualified to fulfil this difficult task. This proposal, disagreeable as it was to many, was under the existing circumstances a command. By direction of the senate its chief, the interrex Lucius Valerius Flaccus the father, as interim holder of the supreme power submitted to the burgesses the proposal, that the proconsul Lucius Cornelius Sulla

at discretion the boundaries of Rome, of Italy, and of the provinces, to dissolve or establish civic communities in Italy, to dispose of the provinces and dependent states, to confer the supreme magistracy instead of the people and to nominate proconsuls and praetors, and lastly to regulate the state for the future by means of new laws, that it should be left to his own judgment to determine when he had fulfilled his task and might deem it time to resign this extraordinary magistracy, and, in fine, that during its continuance it should depend on his pleasure whether the ordinary supreme magistracy should subsist side by side with

his own or should remain in abeyance. As a matter of course, the proposal was adopted without opposition (November 8th); and now the new master of the state, who hitherto had as proconsul avoided entering the capital, appeared for the first time within the walls of Rome. This new office derived its name from the dictatorship, which had been practically abolished since the Hannibalic war (ii. 335); but, as besides his armed retinue he was preceded by twice as many lictors as the dictator of earlier times,¹ this new "dictatorship for the making of laws and the regulation of the commonwealth," as its official title ran, was in fact altogether different from the earlier magistracy which had been limited in point of duration and powers, had not excluded appeal to the burgesses, and had not annulled the ordinary magistracy. It much more resembled that of the *decemviri legibus scribundis*, who likewise came forward as an extraordinary government with unlimited fulness of powers superseding the ordinary magistracy, and practically at least administered their office as one which was unlimited in point of time. Or, we should rather say, this new office, with its absolute power based on a decree of the people and restrained by no set term or colleague, was no other than the old monarchy, which in fact just rested on the free engagement of the burgesses to obey one of their number as absolute lord. It was argued even by contemporaries in vindication of Sulla that a king is better than a bad constitution,² and it may be presumed that the title of dictator was only chosen to indicate that, as the former dictatorship implied a reassumption with various limitations (i. 249, 284, 310), so this new dictatorship involved a complete reassumption, of the regal power. Thus, singularly enough,

¹ As according to reliable tradition the king himself was only attended by twelve lictors (Cic. *de Rep.* ii. 17, 31; Liv. i. 8, *et al.*; Appian, *B. C.* i. 100 differs) and the consuls were originally only accompanied by twelve lictors attached to them alternately month by month, the dictatorship cannot have had originally more lictors than twelve; and with this agrees the statement of Livy (*Ep.* 98) that no dictator before Sulla had twenty-four lictors. As to the contrary assertion of Polybius (iii. 87), we must not overlook that he is speaking of a magistracy which in his time had been for generations in abeyance, and that, as in his day the two consuls already appeared simultaneously with twelve lictors each, it was a natural theory that twenty-four should belong to the dictator. The circumstance that Dionysius (x. 24) and Plutarch (*Fab.* 4) in their embellishing narratives transfer the twenty-four lictors of the dictator to the older period, is doubtless in like manner the result of inference from this theory. There is nothing to hinder us from supposing that this arrangement was first practically carried out by Sulla, and thus abiding by the certainly not groundless statement of Livy.

² *Satius est uti regibus quam uti malis legibus* (*Ad Herenn.* ii. 26).

the course of Sulla here also coincided with that on which Gaius Gracchus had entered with so wholly different a design. In this respect too the conservative party had to borrow from its opponents, the protector of the oligarchic constitution had himself to come forward as a tyrant, in order to avert the ever impending *tyrannis*. There was not a little of defeat in this last victory of the oligarchy.

Sulla had not sought and had not desired the difficult and dreadful labour of the work of restoration but, as no other course was left to him but either to leave it in utterly incapable hands or to undertake it in person, he set himself to it with remorseless energy. First of all a settlement had to be effected in respect to the guilty. Sulla was personally inclined to pardon Sanguine as he was in temperament, he could doubtless break forth into violent rage and well might those beware who saw his eye gleam and his cheek colour, but the chronic vindictiveness which characterised Marius in the irritability of his old age, was altogether foreign to Sulla's easy disposition. Not only had he borne himself with comparatively great moderation after the revolution of '68^f (p. 253) even the second revolution which had perpetrated so fearful outrages and had affected him in person so severely, had not disturbed his equilibrium. At the same time that the executioner was dragging the bodies of his friends through the streets of the capital, he had sought to save the life of the blood stained Fimbria and when the latter died by his own hand had given orders for his decent burial. On landing in Italy he had earnestly offered to forgive and to forget, and no one who came to make his peace had been rejected. Even after the first successes he had negotiated in this spirit with Lucius Scipio, it was the revolutionary party, which had
 subsequently,
 the massacre
 fact conspired

with the old enemies of their country for the destruction of the city of Rome. The cup was now full. By virtue of his new official authority Sulla, immediately after assuming the regency, outlawed as enemies of their country all the civil and military officials who had taken an active part in favour of the revolution after the convention with Scipio (which according to Sulla's assertion was validly concluded) and such of the other burghesses as had in any marked manner aided its cause. Whoever killed one of these outlaws was not only exempt from punishment like an executioner duly fulfilling his office, but also obtained for

the execution a compensation of 12,000 *denarii* (£480); any one on the contrary who befriended an outlaw, even the nearest relative, was liable to the severest punishment. The property of the proscribed was forfeited to the state like the spoil of an enemy; their children and grandchildren were excluded from a political career, and yet, so far as they were of senatorial rank, were bound to undertake their share of senatorial burdens. The last enactments also applied to the estates and the descendants of those who had fallen in conflict for the revolution—penalties which went even beyond those enjoined by the earliest law in the case of such as had borne arms against their fatherland. The most terrible feature in this system of terror was the indefiniteness of the proposed categories, against which there was immediate remonstrance in the senate, and which Sulla himself sought to remedy by directing the names of the proscribed to be publicly posted up and fixing the 1st June $\frac{67}{81}^3$ as the final term for closing the lists of proscription.

Much as this bloody roll, swelling from day to day and amounting at last to 4700 names,¹ excited the just horror of the

¹ This total is given by Valerius Maximus, ix. 2, 1. According to Appian (*B. C.* i. 95), there were proscribed by Sulla nearly 40 senators, which number subsequently received some additions, and about 1600 equites; according to Florus (ii. 9, whence Augustine *de Civ. Dei*, iii. 28), 2000 senators and equites. According to Plutarch (*Sull.* 31), 520 names were placed on the list in the first three days; according to Orosius (v. 21), 580 names during the first days. There is no material contradiction between these various reports, for it was not senators and equites alone that were put to death, and the list remained open for months. When Appian, at another passage (i. 103), mentions as put to death or banished by Sulla, 15 consulars, 90 senators, 2600 equites, he there confounds, as the context shows, the victims of the civil war throughout with the victims of Sulla. The 15 consulars were—Quintus Catulus, consul in $\frac{65}{10}^2$; Marcus Antonius, $\frac{65}{9}^5$; Publius Crassus, $\frac{65}{9}^7$; Quintus Scaevola, $\frac{65}{9}^9$; Lucius Domitius, $\frac{66}{9}^0$; Lucius Caesar, $\frac{66}{9}^4$; Quintus Rufus, $\frac{66}{8}^6$; Lucius Cinna, $\frac{66}{8}^7 - \frac{67}{8}^0$; Gnaeus Octavius, $\frac{66}{8}^7$; Lucius Merula, $\frac{66}{8}^7$; Lucius Flaccus, $\frac{66}{8}^8$; Gnaeus Carbo, $\frac{66}{8}^9$, $\frac{67}{8}^0$, $\frac{67}{8}^2$; Gaius Norbanus, $\frac{67}{8}^1$; Lucius Scipio, $\frac{67}{8}^1$; Gaius Marius, $\frac{67}{8}^2$; of whom fourteen were killed, and one, Lucius Scipio, was banished. When, on the other hand, the Livian account in Eutropius (v. 9) and Orosius (v. 22) specifies as swept away (*consumpti*) in the Social and Civil wars, 24 consulars, 7 praetorians, 60 aedilicians, 200 senators, the calculation includes partly the men who fell in the Italian war, such as the consulars Aulus Albinus, consul in $\frac{66}{9}^5$; Titus Didius, $\frac{66}{9}^6$; Publius Lupus, $\frac{66}{9}^4$; Lucius Cato, $\frac{66}{8}^5$; partly perhaps Quintus Metellus Numidicus (p. 204), Manius Aquilius, Gaius Marius the father Gnaeus Strabo, whom we may certainly regard as also victims of that period, or other men whose fate is unknown to us. Of the fourteen consulars killed, three—Rufus, Cinna, and Flaccus—fell through military revolts, while eight Sullan and three Marian consulars fell as victims to the opposite

multitude, it at any rate checked in some degree the mere caprice of the executioners. It was not at least to the personal resent-

mand the tomb of the victor of Aquae Sextiae was broken open and his ashes were scattered in the Anio, the monuments of his victories over Africans and Germans were overthrown, and, as death had snatched himself and his son from Sulla's vengeance, his adopted nephew Marcus Marius Gratidianus, who had been twice praetor and was a great favourite with the Roman burghesses, was executed amid the most cruel tortures at the tomb of Catulus, who was the most to be regretted of all the Marian victims. In other cases also death had already swept away the most notable of his opponents: of the leaders there survived only Gaius Norbanus, who laid hands on himself at Rhodes, while the *ecclesia* was deliberating on his surrender; Lucius Scipio, whose insignificance and probably also his noble birth procured for him indulgence and permission to end his days in peace at his retreat in Massilia, and Quintus Sertorius, who was wandering about as an exile on the coast of Mauretania. But yet the heads of slaughtered senators were piled up at the Servilian Basin, at the point where the *Vicus Jugarius* opened into the Forum, where the dictator had ordered them to be publicly exposed, and among men of the second and third rank in particular death reaped a fearful harvest. In addition to those who were placed on the list for their services in or on behalf of the revolutionary army with little discrimination, sometimes

sat in judgment on confiscations, about were inscribed on the professional accusers

made it their trade to bring men of the senatorial order before the equestrian courts, had now to suffer for it—"how comes it to pass," an advocate soon after asked, "that they have left to

party On a comparison of the figures given above, 50 senators and 1000 equites were regarded as victims of Marius, 40 senators and 1600 equites as victims of Sulla; this furnishes a standard—at least not altogether arbitrary—for estimating the extent of the mischief on both sides

¹ The Sextus Alfenus, frequently mentioned in Cicero's oration in behalf of Publius Quinctius, was one of these.

us the tribunals, when they were putting to death the accusers and judges?" The most savage and disgraceful passions raged without restraint for many months in Italy. In the capital a Celtic band was primarily charged with the executions, and Sullan soldiers and subaltern officers traversed for the same purpose the different districts of Italy; but every volunteer was also welcome, and the rabble high and low pressed forward not only to earn the rewards of murder, but also to gratify their own vindictive or covetous dispositions under the mantle of political prosecution. It sometimes happened that the assassination did not follow, but preceded, the placing of the name on the list of the proscribed. One example shows the way in which these executions took place. At Larinum, a town of new burgesses and favourable to Marian views, one Statius Albius Oppianicus, who had fled to Sulla's headquarters to avoid a charge of murder, made his appearance after the victory as commissioner of the regent, deposed the magistrates of the town, installed himself and his friends in their room, and caused the person who had threatened to accuse him, along with his nearest relatives and friends, to be outlawed and killed. Numbers thus fell—including not a few decided adherents of the oligarchy—as the victims of private hostility or of their own riches: the fearful confusion, and the culpable indulgence which Sulla displayed in this as in every instance towards those more closely connected with him, prevented any punishment even of the ordinary crimes that were perpetrated amidst the disorder.

The confiscated property was dealt with in a similar way. Sulla from political considerations sought to induce the respectable burgesses to take part in its purchase; a great portion of them, moreover, voluntarily pressed forward, and none more zealously than the young Marcus Crassus. Under the existing circumstances the utmost depreciation was inevitable; indeed, to some extent it was the necessary result of the Roman plan of selling the property confiscated by the state for a round sum payable in ready money. Moreover, the regent did not forget himself; while his wife Metella more especially and other persons high and low closely connected with him, even freedmen and boon-companions, were sometimes allowed to purchase without competition, sometimes had the purchase-money wholly or partially remitted. One of his freedmen, for instance, is said to have purchased a property of 6,000,000 sesterces (£60,000) for 2000 (£20), and one of his subalterns is said to have acquired by such speculations an estate of 10,000,000 sesterces (£100,000).

The indignation was great and just; even during Sulla's regency an advocate asked whether the nobility had waged civil war solely for the purpose of enriching their freedmen and slaves. But in spite of this depreciation the whole proceeds of the confiscated estates amounted to not less than 350,000,000 sesterces (£3,500,000), which gives an approximate idea of the enormous extent of these confiscations falling chiefly on the wealthiest portion of the burgesses. It was altogether a fearful visitation. There was no longer any process or any pardon; mute terror lay like a weight of lead on the land, and free speech was silenced in the market-place alike of the capital and of the country-town. The oligarchical reign of terror bore doubtless a different stamp from that of the revolution, while Marius had glutted his personal vengeance in the blood of his enemies, Sulla seemed to account terrorism in the abstract, if we may so speak, a thing necessary to the introduction of the new despotism, and to prosecute and make others prosecute the work of massacre almost with indifference. But the reign of terror presented an appearance all the more horrible, when it proceeded from the conservative side and was in some measure devoid of passion; the commonwealth seemed all the more irretrievably lost, when the . . . and the crime on both sides were equally balanced.

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Italian allies, between old burgesses with better, and new bur-
gesses with more restricted, privileges, were abolished, and
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right of suffrage was again withdrawn, and the old state of
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community which had joined Sulla, now obtained the exemption

from customs so important for such a sea-port; several were punished. The less guilty were required to pay fines, to pull down their walls, to raze their citadels; in the case of those whose opposition had been most obstinate the regent confiscated a part of their territory, in some cases even the whole of it—as it certainly might be regarded in law as forfeited, whether they were to be treated as burgess-communities which had borne arms against their fatherland, or as allied states which had waged war with Rome contrary to their treaties of perpetual peace. In this case all the dispossessed burgesses—but these only—were deprived of their municipal, and at the same time of the Roman, franchise, receiving in return the lowest Latin rights.¹ Sulla thus avoided furnishing the opposition with any nucleus in Italian subject-communities of inferior rights; the homeless dispossessed necessarily soon disappeared in the mass of the proletariat. In Campania not only was the democratic colony of Capua done away and its domain given back to the state, as was naturally to be expected, but the island of Aenaria (Ischia) was also, probably about this time, withdrawn from the community of Neapolis. In Latium the whole territory of the large and wealthy city of Praeneste and probably of Norba also was confiscated, as was likewise that of Spoletium in Umbria. Sulmo in the Paelignian district was even razed. But the iron arm of the regent fell with especial weight on the two regions which had offered a serious resistance up to the end and even after the battle at the Colline gate—Etruria and Samnium. There a number of the most considerable communes, such as Florentia, Faesulae, Arretium, Volaterrae, were visited with total confiscation. Of the fate of Samnium we have already spoken; there was no confiscation there, but the land was laid waste for ever, its flourishing towns, even the former Latin colony of Aesernia, were left in ruins, and the country was placed on the same footing with the Bruttian and Lucanian regions.

These arrangements as to the property of the Italian soil placed on the one hand those Roman domain lands which had

¹ Vol. i. p. 417. To this was added the peculiar aggravation that, while in other instances the right of the Latins like that of the *peregrini* implied membership in a definite Latin or foreign community, in this case—just as with the later freedmen of Latin and deditician rights (comp. p. 241 note)—it was without any such right of membership. The consequence was, that these Latins were destitute of the privileges attaching to a civic constitution, and, strictly speaking, could not even make a testament, since no one could execute a testament otherwise than according to the law of his town; they could doubtless, however, acquire under Roman testaments, and among the living could hold dealings with each other and with Romans or Latins in the forms of Roman law.

been handed over in usufruct to the former allied communities and now on their dissolution reverted to the Roman government, and on the other hand the confiscated territories of the communities incurring punishment, at the disposal of the regent, and he employed them for the purpose of settling thereon the soldiers of the victorious army. Most of these new settlements were directed towards Etruria, as for instance to *Faesulae* and *Arretium*, others to *Latium* and *Campania*, where *Praeneste* and *Pompeii* among other places became Sullan colonies. *Samnium* was, as we have said, no part of

to an already existing town-community; the necessity of this settlement is shown by the number of allotments distributed, which is stated at 120,000. Nevertheless isolated portions of land were otherwise applied, as in the case of the lands bestowed on the temple of *Diuna* at *Mount Tifata*; others, such as the *Volaterran* domain and part of the *Arretine*, re-

The objects which Sulla aimed at in this colonisation were of a varied kind. In the first place, he thereby redeemed the pledge given to his soldiers. Secondly, he in so doing adopted the policy of the reform party and the moderate conservatives. Thirdly, he sought to settle the army as early as possible in the colonies—the agricultural

proprietors in Italy by a law of 100 B.C. Sulla's policy on the part of the government, how seriously he had this at heart is shown by the renewed prohibition of the annexation of allotments. Lastly and especially, he saw in these settled soldiers as it were standing garrisons, who would protect his new constitution along with their own right of property. For this reason, where the whole territory was not confiscated, as at *Pompeii*, the colonists were not amalgamated with the town-community, but the old burgesses and the colonists were connected by a common interest associated within the same

as those of previous times; the law was based not directly, like the older ones, but only indirectly on the law, inasmuch as the regent constituted them by virtue of the

clause of the Valerian law to that effect, made no difference *de jure*. To designate them as military colonies in contrast with the older ones, is only justifiable in so far as the distinction between the soldier and the burgess, which was in other instances done away by the very colonisation of the soldiers, was intended to remain and did remain in force in the Sullan colonies even after their establishment, and these colonies formed, as it were, the standing army of the senate.

Akin to this practical institution of a standing army for the senate was the measure by which the regent selected from the slaves of the proscribed upwards of 10,000 of the youngest and most vigorous men, and manumitted them in a body. These new Cornelians, whose civil existence was linked to the legal validity of the institutions of their patron, were designed to be a sort of body-guard for the oligarchy and to help it to command the city populace, on which, indeed, in the absence of a garrison everything in the capital primarily depended.

These extraordinary supports on which the regent made the oligarchy primarily to rest, weak and ephemeral as they doubtless appeared even to their author, were yet its only possible buttresses, unless expedients were to be resorted to—such as the formal institution of a standing army in Rome and other similar measures—which would have put an end to the oligarchy far sooner than the attacks of demagogues. The permanent foundation of the ordinary governing power of the oligarchy was of course necessarily the senate, with a power so increased and so concentrated that it presented a superiority to its non-organised opponents at every single point of attack. The system of compromises followed for forty years was at an end. The Gracchan constitution, still spared in the first Sullan reform of 66⁶⁶₆₆, was now utterly abolished. Since the time of Gaius Gracchus the government had conceded, as it were, the right of *émeute* to the proletariat of the capital, and bought it off by regular distributions of corn to the burgesses domiciled there; Sulla abolished these largesses. Gaius Gracchus had organised and consolidated the order of capitalists by the letting of the tenths and customs of the province of Asia in Rome; Sulla abolished the system of middle-men, and converted the former contributions of the Asiatics into fixed taxes, which were assessed on the several districts according to the valuation-rolls drawn up for the purpose of gathering in the arrears.¹ Gaius Gracchus had by

¹ That Sulla's assessment of the five years' arrears and of the war expenses levied on the communities of Asia (Appian, *Mithr.* 62 *et al.*) formed a

entrusting the office of jurymen to men of equestrian census procured for the capitalist class an indirect share in administration and in government, which proved not seldom stronger than the official executive; Sulla abolished the equestrian and restored the senatorial courts. Gaius Gracchus or at any rate the Gracchan period had conceded to the equites a special place at the popular festivals, such as the senators had for long possessed (ii. 301); Sulla had it and relegated the equites to the plebeian be-
 such by Gaius Gracchus, as
 by Sulla. The senate was to exercise the supreme power in legislation, administration, and jurisdiction unconditionally, indivisibly, and permanently, and was to be distinguished also by outward tokens not merely as a privileged, but as the only

made no use of the permission, and
 Drusus (p. 223); but this made only slight amends for the gaps which the revolutionary and reactionary reigns of terror had created in
 directions
 up by the addition of about 300 new senators; the assembly of the tribes had to nominate from among those of equestrian census, and whom they selected, as was natural, chiefly from the younger men of the senatorial houses on the one hand, and from Sullan officers and others brought into prominence by the last revolution on the other. For the future also the mode of

standard for the future, is shown by the facts, that the distribution of Asia into forty districts is referred to Sulla (Cassiodor *Chron.* 670) and that the Sullan apportionment was assumed as a basis in the case of subsequent imposts (Cic. *pro Flacc.* 14, 32), and by the further circumstance, that on occasion of building a fleet in 61^{B.C.} the sums applied for that purpose were deducted from the payment of tribute (*ex pecunia vectigalis populi Romani*; Cic. *Verr.* i. l. 35, 89). Lastly, Cicero (*ad Q. fr.* i. l. 11, 33) directly says, that the Greeks "were not in a position of themselves to pay the tax imposed on them by Sulla without publicani."

P. 107. Tradition has not indeed informed us by whom that law was issued, which rendered it necessary that the earlier privilege should be renewed by the Roscian theatre-law of 61^{B.C.} (Becker-Friedländer, *iv.* 331); but under the circumstances the author of that law was undoubtedly Sulla.

admission to the senate was regulated anew and placed on an essentially different basis. As the constitution had hitherto stood, men entered the senate either through the summons of the censors, which was the proper and ordinary way, or through the holding of one of the three curule magistracies—the consulship, the praetorship, or the aedileship—to which since the passing of the Ovinian law a seat and vote in the senate had been *de jure* attached (ii. 297). The holding of an inferior magistracy, of the tribunate or the quaestorship, gave doubtless a claim *de facto* to a place in the senate—inasmuch as the censorial selection especially turned towards the men who had held such offices—but by no means a reversion *de jure*. Of these two modes of admission, Sulla abolished the former by setting aside—at least practically—the censorship, and altered the latter to the effect that the right of admission to the senate was attached to the quaestorship instead of the aedileship, and at the same time the number of quaestors to be annually nominated was raised to twenty.¹ The prerogative hitherto legally pertaining to the censors, although practically no longer exercised in its original serious import—of deleting any senator from the roll, with a statement of the reasons for doing so, at the revisals which took place every five years (ii. 302)—likewise fell into abeyance for the future; the irremovable character which had hitherto *de facto* belonged to the senators was thus finally fixed by Sulla. The total number of senators, which hitherto had probably not much exceeded the old normal number of 300 and often perhaps had not even reached it, was by these means considerably augmented, perhaps on an average doubled.²

¹ How many quaestors had been hitherto chosen annually, is not known. After $\frac{487}{267}$ there were eight of them—two urban, two military, and four naval, quaestors (i. 413, 423). To these there fell to be added the quaestors employed in the provinces (ii. 62). For the naval quaestors at Ostia, Cales, and so forth were by no means discontinued, and the military quaestors could not be employed elsewhere, since in that case the consul, when he appeared as commander-in-chief, would have been without a quaestor. Now, as down to Sulla's time there were nine provinces, and moreover two quaestors were sent to Sicily, he may possibly have found as many as eighteen quaestors in existence. But as the number of the supreme magistrates of this period was considerably less than that of their functions (p. 344), and the difficulty thus arising was constantly remedied by extension of the term of office and other expedients, and as generally the tendency of the Roman government was to limit as much as possible the number of magistrates, there may have been more quaestorial functions than quaestors, and it may be even that at this period no quaestor at all was sent to small provinces such as Cilicia. Certainly however there were already before Sulla's time, more than eight quaestors.

² We cannot strictly speak of a fixed number of senators. Though the censors before Sulla prepared on each occasion a list of 300 persons,

—an augmentation which was rendered necessary by the great increase of the duties of the senate through the transference to it of the functions of jurymen. As, moreover, both the extraordinarily admitted senators and the quaestors were nominated by the *comitia tributa*, the senate, hitherto resting indirectly on the choice of the people (i. 315), was now thoroughly based on direct popular election; and thus made as close an approach to

... with the nature generally. The senate had in course of time become a corporation intended merely to advise the magistrates into a board commanding the magistrates and self-governing; it was only a consistent advance in the same direction, when the right of nominating and cancelling senators originally belonging to the magistrates was withdrawn from them, and the senate was based on the same legal basis on which the magistrates' power

... of the censors to ... sure institution. As provision was now made for the regular recruiting of its ranks by the election of the quaestors, the censorial revisions became superfluous; and by their abeyance the essential principle at the bottom of every oligarchy, the irremovable character and life-tenure of the members of the ruling order who obtained seat and vote, was definitively cor

the legislative initiative, ... by legal enactment at least as against the tribunes. The burgess-body remained formally sovereign; but so far as its general assemblies were concerned, while it seemed to the regent necessary carefully to preserve their names, he was still more careful to prevent any real activity on their part. Sulla dealt even with the franchise itself in the most contemptuous manner; he made no difficulty either in conceding it to the new burgess-

there always fell to be added to this list those non-senators who filled ... between the time when the list was drawn up and the prepara- ... there were as many senators as there ... results, if we assume ... admitted annually, and we estimate the average age of the senate at from 25 to 30 years. At a numerously attended ... senate in Cicero's time 417 members were present.

communities, or in bestowing it on Spaniards and Celts *en masse*; in fact, probably not without design, no steps were taken at all for the adjustment of the burgess-roll, which nevertheless after so violent revolutions stood in urgent need of a revision, if the government was at all in earnest with the legal privileges attaching to it. The legislative functions of the comitia, however, were not directly restricted; there was no need in fact for doing so, for in consequence of the better secured initiative of the senate the people could not readily against the will of the government intermeddle with administration, finance, or criminal jurisdiction, and its legislative co-operation was once more reduced in substance to the right of giving assent to alterations of the constitution.

Of greater moment was the participation of the burgesses in the elections—a participation which, apparently, could not be dispensed with without disturbing more than Sulla's superficial restoration could or would disturb. The interferences of the movement party in the sacerdotal elections were set aside; not only the Domitian law of 63 B.C., which transferred the election of the supreme priesthoods generally to the people (p. 192), but also the similar older enactments as to the *Pontifex Maximus* and the *Curio Maximus* (ii. 336) were cancelled by Sulla, and the colleges of priests received back the right of self-completion in its original absoluteness. In the case of elections to the magistracies the mode hitherto pursued was on the whole retained; except in so far as the new regulation of the military command to be mentioned immediately certainly involved as its consequence a material restriction of the powers of the burgesses, and indeed in some measure transferred the right of bestowing the appointment of generals from the burgesses to the senate. It does not even appear that Sulla now resumed the previously attempted restoration of the Servian voting-arrangement (p. 252); whether it was that he regarded the particular composition of the voting-divisions as altogether a matter of indifference, or whether it was that this older arrangement seemed to him to augment the dangerous influence of the capitalists. Only the qualifications were restored and partially raised. The limit of age requisite for the holding of each office was enforced afresh; as was also the enactment that every candidate for the consulship should have previously held the praetorship, and every candidate for the praetorship should have previously held the quaestorship, whereas the aedileship was allowed to be passed over. The various attempts that had been recently

made to establish a *tyrannis* under the form of a consulship continued for several successive years led to special rigour in dealing with this abuse, and it was enacted that at least two years should elapse between the holding of one magistracy and the holding of another, and at least ten years should elapse before the same office could be held a second time. In this latter enactment the earlier ordinance of $\frac{4}{3} \frac{1}{2}$ (i. 310) was revived, instead of the absolute prohibition of all re-election to the consulship, which had been the favourite idea of the most recent ultra oligarchical epoch (p. 68). On the whole, however, Sulla left the elections to take their course, and sought merely to fetter the authority of the magistrates in such a way that—let the incalculable caprice of the *comitia* call to office whomsoever it might—the person elected should not be in a position to rebel against the oligarchy.

The supreme magistrates of the state were at this period practically the three colleges of the tribunes of the people, the consuls and praetors, and the censors. They all emerged from the Sullan restoration with materially diminished rights, more especially the tribunician office, which appeared to the regent an instrument indispensable doubtless for senatorial government, but yet—as generated by revolution and having a constant tendency to generate fresh revolutions in its turn—requiring to be rigorously and permanently shackled. The tribunician authority had arisen out of the right to annul the official acts of the magistrates by veto, and, eventually, to fine any one who should oppose that right and to take steps for his farther punishment, this was still left to the tribunes, excepting that a heavy fine, destroying as a rule a man's civil existence, was imposed on the abuse of the right of intercession. The further prerogative of the tribune to have access to the people at pleasure, partly for the purpose of making communications to them, partly for the purpose of submitting laws to the vote, had been the lever by which the Gracchi, Saturninus, and Sulpicius had revolutionised the state, it was not abolished, but its exercise was probably made dependent on a permission to be previously requested from the senate.¹ Lastly, it was added that the hold-

ing of the tribunate should in future disqualify for the acceptance of a higher office—an enactment which, like many other points in Sulla's restoration, once more reverted to the old patrician maxims, and, just as in the times before the admission of the plebeians to the civil magistracies, declared the tribunate and the curule offices to be mutually incompatible. In this way the legislator of the oligarchy hoped to check tribunician demagogism and to keep all ambitious and aspiring men aloof from the tribunate, but to retain it as an instrument of the senate both for mediating between it and the burgesses, and, should circumstances require, for keeping in check the magistrates; and, as the authority of the king and afterwards of the republican magistrates over the burgesses scarcely anywhere comes to light so clearly as in the principle that they exclusively had the right of addressing the people, so the supremacy of the senate, now first legally established, is most distinctly apparent in this permission which the leader of the people had to ask from the senate for every transaction with his constituents.

The consulship and praetorship also, although viewed by the aristocratic regenerator of Rome with a more favourable eye than the thoroughly suspicious tribunate, by no means escaped that distrust towards its own instruments which is throughout characteristic of oligarchy. They were restricted with more tenderness in point of form, but in a way very sensibly felt. Sulla here began with the partition of functions. At the beginning of this period the arrangement in that respect stood as follows. As formerly there had devolved on the two consuls the collective functions of the supreme magistracy, so there still devolved on them all those official duties for which distinct functionaries had not been by law established. This latter course had been adopted with the administration of justice in the capital, in which the consuls according to a rule inviolably adhered to might not interfere, and with the transmarine provinces then existing—Sicily, Sardinia, and the two Spains—in which, while the consul might no doubt exercise his *imperium*, he did so only exceptionally. In the ordinary course of things, accordingly, the six fields of special jurisdiction—the two judicial

arrangements submit proposals to the people without a previous resolution of the senate, is shown not only by the silence of the authorities, but also by the course of the revolutions of $\frac{66}{87}$ and $\frac{67}{78}$, whose leaders for this very reason were not tribunes but consuls. Accordingly we find at this period consular laws upon secondary questions of administration, such as the corn law of $\frac{68}{78}$, for which at other times we should have certainly found *plebiscita*.

appointments in the capital and the four transmarine provinces—were apportioned among the six praetors, while there devolved on the two consuls by virtue of their general powers the management of the non-judicial business of the capital and the military command in the continental possessions. Now as this general authority was doubly provided for, the one consul in reality

was at the disposal of the government; and in ordinary circumstances fully, in extraordinary circumstances, he could recover his military authority.

But the two judicial offices were committed to the praetors. In some circumstances had the consul's or praetor's *imperium* been *vacans*;

contrary a remedy
no interregnum in
had its legal term,

de jure until the successor appeared and received the command; or—which is the same thing—the commanding consul or praetor after the expiry of his term of office, if a successor did not appear, might continue to act, and was bound to do so in the consul's or praetor's stead. The influence of the *imperium* consisted in its having effect to the ordinary rule, so that the six praetors managed themselves the six special departments and the consuls managed the continental non-judicial business, or prescribing some deviation from it; it might assign to the consul a transmarine command of especial importance at the moment, or include an extraordinary military or judicial commission—such as the command of the fleet or an important criminal inquiry—among the departments to be distributed, and might arrange the cumulations and prolongations thereby rendered necessary. In this case, however, it was simply the definition of the respective consular and praetorian functions on each occasion which belonged to the senate, not the designation of the persons to assume the particular office; the latter uniformly took place by agreement among the magistrates concerned or by lot. The burgesses did not interfere in this further than that they were in the earlier period sometimes asked to *legitimare* by special decree of the community the

practical prolongation of command that was involved in the non-arrival of relief (i. 316); which, however, was required rather by the spirit than by the letter of the constitution, and soon fell into oblivion. In the course of the seventh century there were gradually added to the six special departments already existing six others, viz. the five new governorships of Macedonia, Africa, Asia, Narbo, and Cilicia, and the presidency of the standing commission respecting exactions (p. 69). With the daily extending sphere of action of the Roman government, moreover, it was a case of more and more frequent occurrence, that the supreme magistrates were called to undertake extraordinary military or judicial commissions. Nevertheless the number of the ordinary supreme annual magistrates was not enlarged; and there thus devolved on eight magistrates to be annually nominated—apart from emergencies—at least twelve special departments to be annually occupied. Of course it was no mere accident, that this deficiency was not covered once for all by the creation of new praetorships. According to the letter of the constitution all the supreme magistrates were to be nominated annually by the burgesses; according to the new order or rather disorder—under which the vacancies that arose were filled up mainly by prolonging the term of office, and a second year was as a rule added by the senate to the magistrates legally serving for one year, but might also at discretion be refused—the most important and most lucrative places in the state were filled up no longer by the burgesses, but by the senate out of a list of competitors formed by the burgess-elections. Since among these positions the transmarine commands were especially sought after as being the most lucrative, it was usual to entrust a transmarine command on the expiry of their official year to those magistrates whom their office confined either in law or at any rate in fact to the capital, that is, to the two praetors administering justice in the city and frequently also to the consuls; a course which was compatible with the nature of prorogation, since the official authority of supreme magistrates acting in Rome and in the provinces respectively, although differently entered on, was not in strict state-law different in kind.

Such was the state of things which Sulla found existing, and which formed the basis of his new arrangement. Its main principles were, a complete separation between the political authority which governed in the burgess-districts and the military authority which governed in the non-burgess districts, and an uniform extension of the duration of the supreme magistracy

from one year to two, the first of which was devoted to civil, and the second to military functions. Locally the civil and the military authority had certainly been long separated by the constitution, and the former ended at the *pomerium*, where the latter began; but still the same man held the supreme political and the supreme military power united in his hand. In future the consul and praetor were to deal with the senate and burgesses, the proconsul and proprætor were to command the army; but all military power was cut off by law from the former, and all political action from the latter. This primarily led to the political separation of the region of Northern Italy from Italy proper. Hitherto they had stood doubtless in a national

territory, inhabited chiefly by Italians; the whole continental territory of the Roman state from the Straits to the Alps including the Illyrian possessions—burgesses, Latin, and non-Italian communities without exception—was in the ordinary course of things under the administration of the supreme magistrates who were acting in Rome, as in fact her colonial foundations extended through all this territory. According to Sulla's arrangement Italy proper, the northern boundary of which was at the same time changed from the Aesis to the Rubico, was—as a region now inhabited without exception by Roman citizens—made subject to the ordinary Roman authorities; and it became one of the fundamental principles of Roman state-law, that no troops and no commandant should ordinarily be stationed in this district. The Celtic country south of the Alps on the other hand, in which a military command could not be dispensed with on account of the continued incursions of the Alpine tribes, was constituted a distinct governorship after the model of the earlier transmarine commands.¹ Lastly, as the number of

¹ For this hypothesis there is no other proof, except that Celtic Italy was as decidedly not a province—in the sense in which the word signifies

praetors to be nominated yearly was raised from six to eight, the new arrangement of the duties was such, that the ten chief magistrates to be nominated yearly devoted themselves, during their first year of office, as consuls or praetors to the business of the capital—the two consuls to government and administration, two of the praetors to the administration of civil law, the remaining six to the reorganised administration of criminal justice—and, during their second year of office, were as proconsuls or propraeors invested with the command in one of the ten governorships: Sicily, Sardinia, the two Spains, Macedonia, Asia, Africa, Narbo, Cilicia, and Italian Gaul. The already mentioned augmentation of the number of quaestors by Sulla to twenty was likewise connected with this arrangement.¹

By this plan, in the first instance, a clear and fixed rule was substituted for the irregular mode of distributing offices hitherto adopted, a mode which invited all manner of vile manoeuvres and intrigues; and, secondly, the excesses of magisterial authority were as far as possible obviated and the influence of the supreme governing board was materially increased. According to the previous arrangement the only legal distinction in the empire was that drawn between the city which was surrounded by the ring-wall, and the region beyond the *pomerium*; the new arrangement substituted for the city the new Italy henceforth, as in perpetual peace, withdrawn from the regular *imperium*,² and placed in contrast with it the continental and

of itself; in Italy, on the other hand, such a prolonged *imperium* was even under Sulla's arrangement—though not regularly existing—at any rate allowable, and the office held by Lucullus was in any case an extraordinary one. But we are able moreover to show when and how Lucullus held such an office in this quarter. He was already before the Sullan reorganisation in $\frac{67}{82}$ engaged as commanding officer in this very district (p. 318), and was probably, just like Pompeius, furnished by Sulla with propraetorian powers; in this character he must have regulated the boundary in question in $\frac{67}{82}$ or $\frac{67}{81}$ (comp. Appian. i. 95). No inference therefore may be drawn from this inscription as to the legal position of North Italy, and least of all for the time after Sulla's dictatorship. On the other hand a remarkable hint is contained in the statement, that Sulla advanced the Roman *pomerium* (Seneca, *de Brev. Vitae*, 14; Dio. xliii. 50); which distinction was by Roman state-law only accorded to one who had advanced the bounds not of the empire, but of the city—that is, the bounds of Italy (i. 102)

¹ As two quaestors were sent to Sicily, and one to each of the other provinces, and as moreover the two urban quaestors, the two attached to the consuls in conducting war, and the four quaestors of the fleet continued to subsist, nineteen magistrates were annually required for this office. The department of the twentieth quaestor cannot be ascertained.

² The Italian confederacy was much older (i. 424); but it was a league of states, not, like the Sullan Italy, a definite territory within the united Roman state.

formed by enlistment, the register of those liable to taxation and service lost its chief significance; and, if disorder prevailed in the equestrian roll or the list of those entitled to the suffrage, that disorder was probably not altogether unwelcome. There thus remained only the current financial functions which the consuls had hitherto discharged when, as frequently happened, no election of censors had taken place, and which they now took as a part of their ordinary official duties. Compared with the substantial gain that by the shelving of the censorship the magistracy lost its crowning dignity, it was a matter of little moment and was not at all prejudicial to the sole dominion of the supreme governing corporation, that—with a view to satisfy the ambition of the senators now so much more numerous—the number of the Pontifices was increased from eight (i. 297), that of the Augurs from nine (i. 297), that of the Custodiers of Oracles from ten (i. 294), to fifteen each, and that of the Epulones from three (ii. 375) to seven.

In financial matters even under the former constitution the decisive voice lay with the senate; the only point to be dealt with, accordingly, was the re-establishment of an orderly administration. Sulla had found himself at first in no small pecuniary difficulty; the sums brought with him from Asia Minor were soon expended for the pay of his numerous and constantly swelling army. Even after the victory at the Colline gate the senate, seeing that the state-chest had been carried off to Praeneste, had been obliged to resort to urgent measures. Various building-sites in the capital and several portions of the Campanian domains were exposed to sale, the client kings, the freed and allied communities, were laid under extraordinary contribution, their landed property and their customs-revenues were in some cases confiscated, and in others new privileges were granted to them for money. But the residue of nearly £600,000 found in the public chest on the surrender of Praeneste, the public auctions which soon began, and other extraordinary resources, relieved the embarrassment of the moment. Provision was made for the future not so much by the reform in the Asiatic revenues, under which the tax-payers were the principal gainers, and the state chest was perhaps at most no loser, as by the resumption of the Campanian domains, to which Aenaria was now added (p. 335), and above all by the abolition of the largesses of grain, which since the time of Gaius Gracchus had eaten like a canker into the Roman finances.

The judicial system on the other hand was essentially revolu-

transmarine territories which were necessarily placed under military commandants—the provinces as they were henceforth called. According to the former arrangement the same man had very frequently remained two, and often more years in the same office. The new arrangement restricted the magistracies of the capital as well as the governorships throughout to one year; and the special enactment that every governor should without fail leave his province within thirty days after his successor's arrival there shows very clearly—particularly if we take along with it the formerly mentioned prohibition of the immediate re-election of the late magistrate to the same or another public office—what the tendency of these arrangements was. It was the time-honoured maxim by which the senate had at one time been subject to it, that the limitation of the

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from making a better use of this double official power, the possibly wiser successor is lever. According to the

from making a better use of the lever. According to the previous arrangement the magistrate immediately nominated by the people might have had a military position; the Sullan arrangement, on the other hand, reserved such a position exclusively for those magistrates whom the senate confirmed in their authority by prolonging their term of office. No doubt this prolongation of office had now become a standing usage, but it still—so far as respects the auspices and the name, and constitutional form in general—continued to be treated as an extraordinary extension of their term. This was no matter of indifference. No one, or at the utmost the burgesses alone, could deprive the consul or praetor from his office; the proconsul

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 everything ultimately depended, became formally at least
 dependent on the senate

Lastly we have already observed that the highest of all magis-
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formed by enlistment, the register of those liable to taxation and service lost its chief significance; and, if disorder prevailed in the equestrian roll or the list of those entitled to the suffrage, that disorder was probably not altogether unwelcome. There thus remained only the current financial functions which the consuls had hitherto discharged when, as frequently happened, no election of censors had taken place, and which they now took as a part of their ordinary official duties. Compared with the substantial gain that by the shelving of the censorship the magistracy lost its crowning dignity, it was a matter of little moment and was not at all prejudicial to the sole dominion of the supreme governing corporation, that—with a view to satisfy the ambition of the senators now so much more numerous—the number of the Pontifices was increased from eight (i. 297), that of the Augurs from nine (i. 297), that of the Custodiers of Oracles from ten (i. 294), to fifteen each, and that of the Epulones from three (ii. 375) to seven.

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The judicial system on the other hand was essentially revolu-

tionised, partly from political considerations, partly with a view to introduce greater unity and usefulness into the previous very insufficient and unconnected legislation on the subject. Over and above the courts in which the whole burgesses decided on appeals from the sentence of the magistrate, there existed at this time two sorts of procedure before jurymen. In the ordinary procedure, which was applicable to all cases adapted according to our view for a criminal or civil process with the exception of crimes immediately directed against the state, one of the two praetors of the capital technically adjusted the cause and a jurymen (*iudex*) nominated by him decided it on the basis of this adjustment. The extraordinary procedure again was applicable to particular civil or criminal cases of importance, for which, instead of the single jurymen, a special jury court had been appointed by special laws. Of this sort were the special tribunals constituted for particular cases (e.g. pp. 142, 175), the standing commissional tribunals, such as were appointed for exactions (p. 69) for poisoning and murder (p. 105), perhaps also for bribery at elections and other crimes in the course of the seventh century, and, lastly, the court of the hundred and five or more briefly the hundred men, also called, from the shaft of a spear or

(*hasta*)

which has

originated, are involved in obscurity, but they must, it may be presumed, have been nearly the same as in the case of the

those who had been aediles, over the spear-court several directors taken from the former quaestors. The jurymen both for the ordinary and for the extraordinary procedure were, in accordance with the Gracchan arrangement, taken from the non senatorial men of equestrian census, in the case of the spear-court alone, three jurymen were nominated by free election from each of the thirty five tribes, and the court was composed of these hundred and five men.

Sulla's leading reforms were of a threefold character. First, he very considerably increased the number of the jury-courts. There were henceforth separate judicial commissions for exactions, for murder including arson and perjury, for bribery

at elections; for high treason and any dishonour done to the Roman name; for adultery; for the most heinous cases of fraud—the forging of wills and of money; for the most heinous violations of honour, particularly for injuries to the person and disturbance of the domestic peace; perhaps also for embezzlement of public moneys, for usury and other crimes; and for each of these old or new tribunals Sulla issued a special ordinance setting forth the crime and form of criminal procedure. The authorities, moreover, were not deprived of the right to appoint in case of emergency special courts for special groups of crimes. As a result of this arrangement the popular tribunals on the one hand, and the ordinary judicial procedure on the other, were materially restricted, inasmuch as processes of high treason for instance were withdrawn from the former, and the more serious falsifications and injuries from the latter; but apart from this there was no change in either institution. Secondly, as respects the presidency of the courts, six praetors, as we have already mentioned, were now available for the superintendence of the different jury-courts, besides whom special directors were named for particular tribunals. Thirdly, the senators were once more installed in the office of jurymen in room of the Gracchan equites: in the spear-court alone, so far as we know, the previous arrangement continued to subsist.

The political aim of these enactments—to put an end to the share which the equites had hitherto had in the government—is clear as day; but it as little admits of doubt, that these were not mere measures of a political tendency, but that they formed the first attempt to amend the Roman criminal procedure and criminal law, which had since the struggle between the orders fallen more and more into confusion. From this Sullan legislation dates the distinction—substantially unknown to the earlier law—between civil and criminal causes, in the sense which we now attach to these expressions; henceforth a criminal cause appears as that which comes before the bench of jurymen, a civil cause as that which comes before the individual *iudex*. The whole body of the Sullan ordinances as to the *quaestiones* may be characterised at once as the first Roman code after the Twelve Tables, and as the first criminal code specially issued at all. But in the details also there appears a laudable and liberal spirit. Singular as it may sound regarding the author of the proscriptions, it remains nevertheless true that he abolished the punishment of death for political offences; for, as according to the Roman custom which Sulla retained unchanged the people

only, and not the jury commission could sentence to forfeiture

On the other hand, the restriction of the pernicious special commissions for particular cases of high treason, of which the Varian commission (p. 223) in the Social War had been a specimen, likewise involved an improvement. The whole reform was of singular and lasting benefit, and a permanent monument of the practical, moderate, statesmanly spirit, which made its author

the censor again enforced good discipline and strict manners, and, by establishing new maximum rates instead of the old ones which had long been antiquated, attempted to restrain luxury at banquets, funerals, and otherwise.

Lastly, the development of an independent Roman municipal system was the work, if not of Sulla, at any rate of the Sullan epoch. The idea of organically incorporating the community as a subordinate political unit in the higher unity of the state was originally foreign to antiquity, city and state were throughout the Hellenic-Italic world necessarily coincident, and it was otherwise only under Oriental despotism. In so far there was no proper municipal system from the outset either in Greece or in Italy. The Roman policy especially adhered to this view with its peculiar tenacious consistency, even in the sixth century the dependent communities of Italy were either, in order to their keeping their municipal constitution, constituted as formally sovereign states of non-burgesses, or, if they obtained the Roman franchise, were—although not prevented from organising themselves as commonwealths—deprived of strictly municipal rights, so that in all burgess colonies and burgess *municipia* even the administration of justice and the charge of buildings devolved on the Roman praetors and censors. The utmost to which Rome consented was to allow at least the most urgent lawsuits to be settled on the spot by a deputy (*praefectus*) of the praetor nominated from Rome (i. 418). The provinces were similarly dealt with, except that the governor there came in place of the authorities of the capital. In the free—that is, formally sovereign cities the civil and criminal jurisdiction was administered by the municipal magistrates according to the

local statutes; only, unless altogether special privileges stood in the way, every Roman might either as defendant or as plaintiff request to have his cause decided before Italian judges according to Italian law. For the ordinary provincial communities the Roman governor was the only regular judicial authority, on whom devolved the superintendence of all processes. It was a great matter when, as in Sicily, in the event of the defendant being a Sicilian, the governor was bound by the provincial statute to give a native juryman and to allow him to decide according to local usage; in most of the provinces this seems to have depended on the pleasure of the presiding magistrate.

In the seventh century this absolute centralisation of the public life of the Roman community in the one focus of Rome was given up, so far as Italy at least was concerned. Now that Italy was a single civic community and the civic territory reached from the Arnus and Rubico down to the Sicilian straits (p. 335), it was necessary to consent to the formation of smaller civic communities within that larger unit. So Italy was organised into communities of full burgesses; on which occasion also the larger cantons that were dangerous from their size were probably broken up, so far as this had not been done already, into several smaller town-districts (p. 227). The position of these new communities of full burgesses was a compromise between that which had belonged to them hitherto as allied states, and that which by the earlier law would have belonged to them as integral parts of the Roman community. Their basis was in general the constitution of the former formally sovereign Latin community, or, so far as their constitution in its principles resembled the Roman, that of the Roman old patrician consular community; only care was taken to apply to the same institutions in the *municipium* names different from, and inferior to, those used in the capital, or, in other words, in the state. A burgess-assembly was placed at the head, with the prerogative of issuing municipal statutes and nominating the municipal magistrates. A municipal council of a hundred members acted the part of the Roman senate. The administration of justice was conducted by four magistrates, two regular judges corresponding to the two consuls, and two market-judges corresponding to the curule aediles. The functions of the censorship, which recurred, as in Rome, every five years and, to all appearance, consisted chiefly in the superintendence of public buildings, were also undertaken by the supreme magistrates of the community, namely the ordinary *duumviri*, who in this case assumed the

moment of his return home was for Sulla an overpowering one in joy and in pain: he himself relates in his memoirs that during his first night in Rome he had not been able to close an eye, and we may well believe it. But still his task was not at an end; his star was destined to rise still higher. Absolute autocrat as was ever any king, and yet constantly bent on abiding by the ground of formal right, he bridled the ultra-reactionary party, annihilated the Gracchan constitution which had for forty years restrained the oligarchy, and compelled first the powers of the capitalists and of the urban proletariat which had entered into rivalry with the oligarchy, and ultimately the arrogance of the army which had grown up in the bosom of his own staff, to be smothered afresh. He

ever, placed in its hands, committed to it the legislation, the courts, the supreme military and financial power, and furnished it with a sort of body-guard in the liberated slaves and with a sort of army in the settled military colonists. Lastly, when the work was finished, the creator gave way to his own creation; the absolute autocrat became of his own accord once more a simple senator. In all this long military and political career Sulla never lost a battle, was never compelled to retrace a single step, and, led astray neither by friends nor by foes, brought his career to the goal which he had himself proposed. He had reason, the capricious goddess of fortune

fastness, and to have taken . . . with successes and honours—whether he desired them . . . But history must be more just towards him than he was towards himself, and must place him in a higher rank than that of the mere favourites of fortune

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it away from *ennui*; but, so far as concerns the total absence of notional selfishness—although, it is true, in the present only—

was more indebted to him than posterity is willing to confess. Sulla definitely terminated the Italian revolution, in so far as it was based on the disabilities of individual less privileged districts as compared with others of better rights, and, by compelling himself and his party to recognise the equality of the rights of all Italians in presence of the law, he became the real and final author of the full political unity of Italy—a gain which was not too dearly purchased even by so many troubles and streams of blood. Sulla however did more. For more than half a century the power of Rome had been declining and anarchy had been

of a master-hand (the sad image of which is most clearly reflected in that equally confused and unnatural league with the Samnites), the most uncertain, most intolerable, and most mis-

to pieces, had not Sulla by his intervention in Asia and Italy saved its existence. It is true that the constitution of Sulla had as little endurance as that of Cromwell, and it was not difficult to see that his structure was no solid one; but it is arrant thoughtlessness to overlook the fact that without Sulla most probably the very site of the building would have been swept away by the waves, and even the blame of its want of stability does not fall primarily on Sulla. The statesman builds only so

any attempt to save the oligarchy vain. His constitution resembled a temporary dike thrown into the raging breakers, it was no reproach to the builder, if some ten years afterwards the waves swallowed up a structure reared in defiance of nature and not defended even by those whom it sheltered. The statesman has no need to be referred to highly commendable isolated reforms, such as those of the Asiatic revenue-system and of

criminal justice, that he may not summarily dismiss Sulla's ephemeral restoration: he will admire it as a reorganisation of the Roman commonwealth judiciously planned and on the whole consistently carried out under infinite difficulties, and he will place the deliverer of Rome and the accomplisher of Italian unity below, but yet in the same class with, Cromwell.

It is not, however, the statesman alone who has a voice in judging the dead; and with justice outraged human feeling will never reconcile itself to what Sulla did or suffered others to do. Sulla not only established his despotic power by unscrupulous violence, but in doing so called things by their right name with a certain cynical frankness, through which he has irreparably offended the great mass of the weakhearted who are more revolted at the name than at the thing, while the cool and dispassionate character of his crimes makes them certainly appear to the moral judgment more revolting than the crimes that spring from passion. Outlawries, rewards to executioners, confiscations of goods, summary procedure with insubordinate officers had occurred a hundred times, and the obtuse political morality of ancient civilisation had for such things only lukewarm censure; but it was unexampled that the names of the outlaws should be publicly posted up and their heads publicly exposed, that a set sum should be fixed for the bandits who slew them and that it should be duly entered in the public account-books, that the confiscated property should be brought to the hammer like the spoil of an enemy in the public market, that the general should order a refractory officer to be at once cut down and acknowledge the deed before all the people. This public mockery of humanity was also a political error; it contributed not a little to envenom later revolutionary crises beforehand, and on that account even now a dark shadow deservedly rests on the memory of the author of the proscriptions.

Sulla may moreover be justly blamed that, while in all important matters he acted with remorseless vigour, in subordinate and more especially in personal questions he very frequently yielded to his sanguine temperament and dealt according to his likings or dislikings. Wherever he really felt hatred, as for instance against the Marians, he allowed it to take its course without restraint even against the innocent, and made it his boast that no one had better requited friends and foes.¹ He scorned not to

¹ Euripides, *Medea*, 807:—

Μηδεῖς με φαῦλην κάσθενῇ νομιζέτω
Μηδ' ἡσυχάλαν, ἀλλὰ θατέρου τρόπου,
Βαρεῖαν ἐχθροῖς καὶ φίλοισιν εὐμενῇ.

take advantage of his place and power to accumulate a colossal fortune. The first absolute monarch of the Roman state, he forthwith verified the maxim of absolutism—that the laws do not bind the prince—in the case of those laws which he himself issued as to adultery and extravagance. But his leniency towards his own party and his own circle was more pernicious for the state than his indulgence towards himself. The laxity of his military discipline, although it was partly enjoined by his political exigencies, may be reckoned as coming under this category, but far more pernicious was his indulgence towards his political adherents. The extent of his forbearance occasionally is hardly credible: for instance Lucius Murena was not only released from punishment for defeats which he sustained through arrant folly and insubordination (p. 325) but was even allowed a triumph. Gnaeus Pompeius, who had behaved still worse, was still more extravagantly honoured by Sulla (pp. 324, 326). The extensive range and the worst enormities of the proscriptions and confiscations probably arose not so much from Sulla's own wish as from this spirit of indifference, which in his position indeed was hardly more pardonable. That Sulla with his *intrinsically energetic* should conduct himself *indulgence, sometimes*

conceived. The saying repeated a thousand times, that he was before his regency a good-natured, mild man, but when regent a bloodthirsty tyrant, carries in it its own refutation, if he as regent displayed the reverse of his earlier gentleness, it must rather be said that he punished with the same careless nonchalance with which he pardoned. This half-ironical frivolity pervades his whole political action. It is always as if the victor, just as it pleased him to call his merit in gaining victory good fortune, esteemed the victory itself of no value, as if he had a partial presentiment of the vanity and perishableness of his own work, as if after the manner of a steward he preferred making repairs to pulling down and rebuilding, and allowed himself in the end to be content with a sorry patchwork to conceal the flaws.

But, such as he was, this Don Juan of politics was a man of one mould. His whole life attests the internal equilibrium of his nature, in the most diverse situations Sulla remained unchangeably the same. It was the same temper, which after the brilliant successes in Africa made him seek once more the richness of the capital, and after the full possession of almost the

power made him find rest and refreshment in his Cuman villa. In his mouth the saying that public affairs were a burden which he threw off so soon as he might and could, was no mere phrase. After his resignation he remained entirely like himself, without peevishness and without affectation, glad to be rid of public affairs and yet interfering now and then when opportunity offered. Hunting and fishing and the composition of his memoirs occupied his leisure hours; by way of interlude he arranged, at the request of the discordant citizens, the internal affairs of the neighbouring colony of Puteoli as confidently and speedily as he had formerly arranged those of the capital. His last action on his sick-bed had reference to the collection of a contribution for the rebuilding of the Capitoline temple, of which he was not allowed to witness the completion.

Little more than a year after his retirement, in the sixtieth year of his life, while yet vigorous in body and mind, he was overtaken by death; after a brief confinement to a sick-bed—he was writing at his autobiography two days even before his death—the rupture of a blood-vessel¹ carried him off ($\frac{67}{78}$). His faithful fortune did not desert him even in death. He could have no wish to be drawn once more into the disagreeable vortex of party struggles, and to be obliged to lead his old warriors once more against a new revolution; yet such was the state of matters at his death in Spain and in Italy, that he could hardly have been spared this task had his life been prolonged. Already when it was suggested that he should have a public funeral in the capital, numerous voices there, which had been silent in his lifetime, were raised against the last honour which it was proposed to show to the tyrant. But his memory was still too fresh and the dread of his old soldiers too vivid: it was resolved that the body should be conveyed to the capital and that the obsequies should be celebrated there.

Italy never witnessed a grander funeral solemnity. In every place through which the deceased was borne in regal attire, with his well-known standards and fasces before him, the inhabitants and above all his old soldiers joined the mourning train: it seemed as if the whole army would once more meet round the hero in death, who had in life led it so often and never except to victory. So the endless funeral procession reached the capital, where the courts kept holiday and all business was suspended, and two thousand golden chaplets awaited the dead

¹ Not phthiriasis, as another account states; for the simple reason that such a disease is entirely imaginary.

—the last honorary gifts of the faithful legions, of the cities, and of his more intimate friends. Sulla, faithful to the usage of the Cornelian house, had ordered that his body should be buried without being burnt; but others were more mindful than he was of what past days had done and future days might do: by command of the senate the corpse of the man who had disturbed the bones of Marius from their rest in the grave was committed to the flames. Headed by all the magistrates and the whole senate, by the priests and priestesses in their official robes and the band of noble youths in equestrian armour, the procession arrived at the great market-place; at this spot, filled by his achievements and almost by the sound as yet of his dreaded words, the funeral oration was delivered over the deceased; and thence the bier was borne on the shoulders of senators to the Campus Martius, where the funeral pile was erected. While the flames were blazing, the equites and the soldiers held their race of honour round the corpse; the ashes of the regent were deposited in the Campus Martius beside the tombs of the old kings, and the Roman women mourned him for a year.

CHAPTER XI

THE COMMONWEALTH AND ITS ECONOMY

WE have traversed a period of ninety years—forty years of profound peace, fifty of an almost constant revolution. It is the most inglorious epoch known in Roman history. It is true that the Alps were crossed both in an easterly and westerly direction (pp. 156, 164), and the Roman arms reached in the Spanish peninsula as far as the Atlantic Ocean (p. 17), and in the Macedono-Grecian peninsula as far as the Danube (p. 165); but the laurels thus gained were as cheap as they were barren. The circle of the “extraneous peoples under the will, sway, dominion, or friendship of the Roman burgesses,”¹ was not materially extended; men were content to realise the gains of a better age and to bring the communities attached to Rome in laxer forms of dependence more and more into full subjection. Behind the brilliant screen of provincial reunions was concealed a very sensible decline of Roman power. While the whole ancient civilisation was daily more and more distinctly embraced in the Roman state and received in it a more general recognition, the nations excluded from it began simultaneously beyond the Alps and beyond the Euphrates to pass from defence to aggression. On the battle-fields of Aquae Sextiae and Vercellae, of Chaeronea and Orchomenus, were heard the first peals of that thunder-storm, which the Germanic tribes and the Asiatic hordes were destined to bring upon the Italo-Grecian world, and the last dull rolling of which has reached almost to our own times. But in internal development also this epoch bears the same character. The old organisation collapses irretrievably. The Roman commonwealth was planned as a civic community, which through its free burgess-body gave to itself rulers and laws; which was governed by these duly advised rulers within these legal limits with kingly freedom; and around which the

¹ *Extraneae nationes in arbitrato dicione potestate amicitiae populi Romani (lex repet. v. 1)*, the official designation of the non-Italian subjects and clients as contrasted with the Italian “allies and kinsmen” (*socii nominisve Latini*).

Italian confederacy, as an aggregate of free civic communities essentially homogeneous and cognate with the Roman, and the body of extra Italian allies, as an aggregate of Greek free cities and barbaric peoples and principalities—both more superintended, than domineered over, by the community of Rome—formed a double circle. It was the final result of the revolution—and both parties, the nominally conservative as well as the democratic party, had co-operated towards it and concurred in it—that of this venerable structure, which at the beginning of the present epoch, though full of chinks and tottering, still stood erect, not one stone was at its close left upon another. The holder of sovereign power was now either a single man or the close oligarchy of the noble or of the rich. The burgesses had lost all real share in the government. The magistrates were instruments without independence in the hands of the holder of power for the time being. The civic community of Rome had broken down by its unnatural enlargement. The Italian confederacy had been merged in the civic community. The body of extra Italian allies was in full course of being converted into a body of subjects. The whole organic classification of the Roman commonwealth had gone to wreck, and nothing was left but a crude mass of more or less disparate elements. The state of matters threatened to end in utter anarchy and in the inward and outward dissolution of the state. The political movement tended thoroughly towards the goal of despotism, the only point still in dispute was whether the close circle of the families of rank, or the senate of capitalists, or a monarch was to be the despot. The political movement followed thoroughly the paths that led to despotism. the fundamental principle of a free commonwealth—that the contending powers should reciprocally confine themselves to indirect coercion—had become sterile in the eyes of all parties alike, and on both sides the fight for power began to be carried on first by the bludgeon, and then by the sword. The revolution, at an end in so far as the old constitution was recognised by both sides as finally set aside and the aim and method of the new political development were clearly settled, had yet up to this time discovered nothing but

of this bitter time was that even the most ardent
seeing patriot. The sun of freedom with all its ennobling and
blessings was constantly drawing nearer to its setting and the

twilight was settling over the very world that was still so brilliant. It was no accidental catastrophe which patriotism and genius might have warded off; it was ancient social evils—at the bottom of all, the ruin of the middle class by the slave proletariat—that brought destruction on the Roman commonwealth. The most sagacious statesman was in the plight of the physician to whom it is equally painful to prolong or to abridge the agony of his patient. Beyond doubt it was the better for the interests of Rome, the more quickly and thoroughly a despot set aside all remnants of the ancient free constitution, and invented new forms and expressions for the moderate measure of human prosperity for which absolutism leaves room: the intrinsic advantage, which belonged to monarchy under the given circumstances as compared with any oligarchy, lay mainly in the very circumstance that such a despotism, energetic in pulling down and energetic in building up, could never be exercised by a collegiate board. But such calm considerations do not mould history; it is not reason, it is passion alone, that builds for the future. The Romans had just to wait and to see how long their commonwealth would continue unable to live and unable to die, and whether it would ultimately find its master and, so far as might be possible, its regenerator, in a man of mighty gifts, or would collapse in misery and weakness.

It remains that we should notice the economic and social relations of the period before us, so far as we have not already done so.

The finances of the state were from the commencement of this epoch substantially dependent on the revenue from the provinces. In Italy the land-tax, which had always occurred there merely as an extraordinary impost by the side of the ordinary domanial and other revenues, had not been levied since the battle of Pydna, so that absolute freedom from land-tax began to be regarded as a constitutional privilege of Roman landed property. The royalties of the state, such as the salt monopoly (ii. 308) and the right of coinage, were not now at least, if ever at all, treated as sources of income. The new tax on inheritance (ii. 360) was allowed to fall into abeyance or was perhaps directly abolished. Accordingly the Roman exchequer drew from Italy including Cisalpine Gaul nothing but the produce of the domains, particularly of the Campanian territory and of the gold mines in the land of the Celts, and the revenue from manumissions and from goods imported by sea into the Roman civic territory not for the personal consumption of

Both of these may be regarded essentially as taxes on luxury, and they certainly must have been considerably augmented by the extension of Roman citizenship and at the same time of Roman customs-dues to all Italy, probably including Cisalpine Gaul.

In the provinces the Roman state claimed directly, as its private property, the whole domain of the cities destroyed by martial law and—in those states where the Roman government came in room of the former rulers—the landed property possessed by the latter. By virtue of this right the territories of Leontini, Carthage, and Corinth, the domanial property of the kings of Macedonia, Pergamus, and Cyrene, the mines in Spain and Macedonia were regarded as Roman domains; and, in like manner with the territory of Capua, were leased by the Roman censors to private contractors for a certain proportion of the produce or a fixed sum of money. We have already explained that Gaius Gracchus went still farther, claimed the whole land of the provinces as domain, and in the case of the province of Asia practically carried out this principle, inasmuch as he legally justified the *decumae*, *scriptura*, and *vectigilia* levied there on the ground of the Roman state's right of property in the land, pasture, and coasts of the province, whether these had previously belonged to the king or to private persons (pp. 109, 115).

There do not appear to have been at this period any royalties from which the state derived profit, as respected the provinces, the prohibition of the culture of the vine and olive in Transalpine Gaul did not benefit the state-chest as such. On the other hand direct and indirect taxes were levied to a great extent. The

legally exempt from taxation, and met their expenses to support the Roman republic in time of war by regularly furnishing a fixed number of ships or men at their own expense, and, as a matter of course in case of need, by rendering extraordinary aid of any kind.

The rest of the provincial territory, on the other hand, even including the free cities, was through out liable to taxation, the only exceptions were the cities invested with the *honorarium* such as Narbo, and the communities on which immunitas or exemption from taxation was specially conferred (*civitates immunes*) such as Centuripa in Sicily. The direct taxes comprised partly—as in

Sicily and Sardinia—of a tenth¹ of the sheaves and other field produce as of grapes and olives, or, if the land lay in pasture, to a corresponding *scriptura*; partly—as in Macedonia, Achaia, Cyrene, the greater part of Africa, the two Spains, and by Sulla's arrangements also in Asia—of a fixed sum of money to be paid annually by each community to Rome (*stipendium, tributum*). This amounted, e.g. for all Macedonia, to 600,000 *denarii* (£24,000), for the small island of Gyaros near Andros to 150 *denarii* (£6 10s.), and was apparently on the whole low and less than the tax paid before the Roman rule. Those ground-tenths and pasture-moneys the state farmed out to private contractors on condition of their paying fixed quantities of grain or fixed sums of money; with respect to the latter money-payments the state drew upon the respective communities, and left it to these to assess the amount, according to the general principles laid down by the Roman government, on the persons liable, and to collect it from them.²

¹ This tax-tenth, which the state levied from private landed property, is to be clearly distinguished from the proprietor's tenth, which is imposed on the domain-land. The former was let in Sicily, and was fixed once for all; the latter—which, however, in Sicily only applied to the land acquired by Rome after the first Punic war, not to the territory of Leontini (comp. *Corpus Inscr. Lat.* i. p. 101)—was let by the censors in Rome, and the proportion of produce payable and other conditions were regulated at their discretion (Cic. *Verr.* iii. 6, 13; v. 21, 53; *de Leg. Agr.* i. 2, 4; ii. 18, 48).

² The mode of proceeding was apparently as follows. The Roman government fixed in the first instance the kind and the amount of the tax. Thus in Asia, for instance, according to the arrangement of Sulla and Caesar the tenth sheaf was levied (Appian. *B.C.* v. 4); the Jews by Caesar's edict contributed every second year a fourth of the seed (Joseph. iv. 10, 6; comp. ii. 5); in Cilicia and Syria subsequently there was paid one per cent. on estate (Appian. *Syr.* 50), and there was in Africa also an apparently similar tax—in which case the estate seems to have been valued according to certain presumptive indications, e.g., the size of the land occupied, the number of doorways, the number of head of children and slaves (*exactio capitum atque ostiorum*, Cicero, *Ad Fam.* iii. 8, 5, with reference to Cilicia; *φόρος ἐπὶ τῇ γῇ καὶ τοῖς σώμασιν*, Appian. *Pun.* 135, with reference to Africa). In accordance with this regulation the magistrates of each community under the superintendence of the Roman governor (Cic. *ad Q. Fr.* i. 1, 8; *SC. de Asclep.* 22, 23) settled who were liable to the tax, and what was to be paid by each individual (*imperata ἐπικεφάλια*, Cic. *ad Att.* v. 16); if any one did not pay this in proper time, his tax-debt was sold just as in Rome, i.e., it was handed over to a contractor with an adjudication to collect it (*venditio tributorum*, Cic. *Ad Fam.* iii. 8, 5; *ὡς τὰς omnium venditas*, Cic. *ad Att.* v. 16). The produce of these taxes flowed into the coffers of the leading communities—the Jews, for instance, had to send their corn to Sidon—and from these coffers the fixed amount in money was then conveyed to Rome. These taxes also were consequently levied indirectly, and the intermediate agent either retained, according to circumstances, a part of the produce of the taxes for himself, or added to it from his own substance; the distinction between this mode of levying and

The indirect taxes consisted—apart from the subordinate moneys levied from roads, bridges, and canals—mainly of customs-duties. The customs-duties of antiquity were, if not exclusively, at any rate principally port-dues, less frequently frontier-dues, on imports and exports destined for sale, and were levied by each community in its ports and its territory at pleasure. The Romans recognised this principle generally, in so far as *their original customs-domain did not extend farther than the range of the Roman franchise and the limit of the customs was by no means coincident with the limits of the empire*, so that a general imperial tariff was unknown: it was only by means of state-treaty that a total exemption from customs-dues in the client communities was secured for the Roman state, and in various cases also at least favourable terms for the Roman burgess. But in those districts, which had not been admitted to alliance with Rome but were in the condition of subjects proper and had not acquired immunity, the customs fell as a matter of course to the proper sovereign, that is, to the Roman community; and in consequence of this several large regions within the empire were constituted as separate Roman customs-districts, in which the several communities allied or privileged with immunity were isolated as exempt from Roman customs. Thus Sicily even from the Carthaginian period formed a distinct customs-district, on the frontier of which a tax of 5 per cent. on the value was levied from all imports or exports; thus on the frontiers of Asia there was levied in consequence of the Sempronian law (p. 108) a similar tax of $2\frac{1}{2}$ per cent.; in like manner the province of Narbo, exclusively the domain of the Roman colony, was organised as a Roman customs-district. These arrangements may have been, in addition to their fiscal objects, partly occasioned by the commendable purpose of checking the confusion inevitably arising out of a variety of communal tolls by a uniform regulation of frontier-dues. The levying of the customs, like that of the tenths, was without exception leased to middlemen.

The ordinary burdens of Roman taxpayers were limited to these imposts, but we may not overlook the fact, that the expenses of collection were very considerable, and the contributors paid an amount disproportionately great as compared with what the Roman government received. For, while the

the other by means of publicans lay chiefly in the one instance, that in the former the public authorities of the empire put us, in the latter by private speculators, constituted the intermediate agency.

system of collecting taxes by middlemen, and especially by general lessees, is in itself the most expensive of all, in Rome effective competition was rendered extremely difficult in consequence of the slight extent to which the lettings were subdivided and the immense association of capital.

To these ordinary burdens, however, fell to be added in the first place the requisitions which were made. The costs of military administration were in law defrayed by the Roman community. It provided the commander of every province with the means of transport and all other requisites; it paid and provisioned the Roman soldiers in the province. The provincial communities had to furnish merely shelter, wood, hay, and similar articles free of cost to the magistrates and soldiers; in fact the free towns were even ordinarily exempted from the winter quartering of the troops—permanent camps were not yet known. If the governor therefore needed grain, ships, slaves to man them, linen, leather, money, or aught else, he was no doubt absolutely at liberty in time of war—nor was it far otherwise in time of peace—to demand such supplies according to his discretion and exigencies from the subject-communities or the sovereign protected states; but these supplies were, like the Roman land-tax, treated legally as purchases or advances, and the value was immediately or afterwards made good by the Roman exchequer. Nevertheless these requisitions became, if not in the theory of state-law, at any rate practically, one of the most oppressive burdens of the provincials; and the more so, that the amount of compensation was ordinarily settled by the government or by the governor after a one-sided fashion. We meet indeed with several legislative restrictions on this dangerous right of requisition of the Roman superior magistrates: for instance, the rule already mentioned, that in Spain there should not be taken from the country people by requisitions for grain more than the twentieth sheaf, and that the price of this should be equitably settled (ii. 198); the fixing of a maximum quantity of grain to be demanded by the governor for the wants of himself and his retinue; the previous adjustment of a definite and high rate of compensation for the grain which was frequently required, at least from Sicily, for the wants of the capital. But, while by such rules the pressure of those requisitions on the economy of the communities and of individuals in the province was doubtless mitigated here and there, it was by no means removed. In extraordinary crises this pressure unavoidably increased and

often went beyond all bounds, for then in fact the requisitions not unfrequently assumed the form of a punishment imposed or that of voluntary contributions enforced, and compensation was thus wholly withheld. Thus Sulla in 82-81 B.C. compelled the provincials of Asia Minor, who certainly had very gravely offended against Rome, to furnish to every common soldier quartered among them forty fold pay (per day 16 *denarii*=11s.), to every centurion seventy-five-fold pay, in addition to clothing and meals along with the right to invite guests at pleasure,

Further the local public burdens are not to be left out of view. They must have been, comparatively, very considerable,¹ for the costs of administration, the keeping of the public buildings, the expenses were borne by the government simply undertook to their coffers. But even of these some were devolved on the communities—such as the expense of making and maintaining the non Italian military roads, the costs of the fleets in the non Italian seas, nay even in great part the outfit for the army, inasmuch as the forces of the client states as well as those of the subjects were regularly liable to serve at the expense of their communities within their province, and began to be employed with increasing frequency even beyond it—Thracians in Africa, Africans in Italy, and so on—at the discretion of the Romans (p. 188). If the provinces only and not Italy paid the expenses of the government, this was equitable in a financial, but not in a political point of view. The burdens were so great that this system was abandoned, the provincials were, in a financial point of view, decidedly overburdened.

Lastly we must not forget the great chapter of my story by which in manifold ways the Roman magistrates and farmers of the revenue augmented the burden of taxation on the provinces. Although every present which the governor took might be treated legally as an exaction, and even his right of purchase might be restricted by law, yet the exercise of his power

¹ For example, in Judaea the taxes of Josephus paid 1200000 sesterces, the other Jews the tenth shekel to the native priests, to which he added the temple tribute and the payments to Syria destined by the Romans. In the year 104 B.C. the tribute to the Romans was 400 talents. The tax on property was raised from property

functions offered to him, if he was disposed to do wrong, ample pretexts for doing so. The quartering of the troops; the free lodging of the magistrates and of the host of adjutants of senatorial or equestrian rank, of clerks, lictors, heralds, physicians, and priests; the right which the messengers of the state had to be forwarded free of cost; the approval of, and providing transport for, the supplies payable in kind; above all the forced sales and the requisitions—gave all magistrates opportunity to bring home princely fortunes from the provinces. And the plundering became daily more general, the more that the control of the government appeared to be worthless and that of the capitalist-courts to be in reality dangerous to the upright magistrate alone. The institution of a standing commission regarding the exactions of magistrates in the provinces, occasioned by the frequency of complaints as to such cases, in $\frac{606}{149}$ (p. 69), and the laws as to extortion following each other so rapidly and constantly augmenting its penalties, show the daily increasing height of the evil, as the Nilometer shows the rise of the flood.

Under all these circumstances even a taxation moderate in theory might become extremely oppressive in its actual operation; and that it was so is beyond doubt, although the financial oppression, which the Italian merchants and bankers exercised over the provinces, was probably felt as a far heavier burden than the taxation with all the abuses that attached to it.

All things considered, the income which Rome drew from the provinces was not properly a taxation of the subjects in the sense which we now attach to that expression, but rather in the main a revenue that may be compared with the Attic tributes, by means of which the leading state defrayed the expense of the military system which it maintained. This explains the singularly small amount of the gross as well as of the net proceeds. There exists a statement, according to which the income of Rome, exclusive, it may be presumed, of the Italian revenues and of the grain delivered in kind to Italy by the *decumani*, up to $\frac{691}{83}$ amounted to not more than 200 millions of sesterces (£2,000,000); that is, but two-thirds of the sum which the king of Egypt drew from his country annually. The proportion can only seem strange at the first glance. The Ptolemies turned to account the valley of the Nile as great plantation-owners, and drew immense sums from their monopoly of the commercial intercourse with the East; the Roman treasury was not much more than the joint military chest of the communities united under Rome's protection. The net produce was probably still

less in proportion The only provinces yielding a considerable

of the Roman state were essentially dependent on the revenues of Asia The assertion sounds quite credible that the other provinces on an average cost nearly as much as they brought in, in fact those which required a considerable garrison, such as the two Spains, Transalpine Gaul, and Macedonia probably often cost more than they yielded On the whole certainly the Roman treasury in ordinary times possessed a surplus, which enabled them amply to defray the expense of the buildings of the state
 — 1 to a reserve fund but even the figures compared with the wide
 ie small amount of the net

proceeds of the Roman taxes In a certain sense therefore the old principle equally honourable and judicious—that the political hegemony should not be treated as a privilege yielding profit—still governed Rome's financial administration of the provinces as it had governed that of Italy What the Roman community levied from its transmarine subjects was, as a rule, re expended for the military security of the transmarine possessions, and if these Roman imposts fell more heavily on those who paid them than the earlier taxation, in so far as they were in great part expended abroad, the substitution on the other hand, of a single ruler and a centralised military administration for the many petty rulers and armies involved a very considerable financial saving It is true however, that this principle of a better and earlier age came from the very first to be infringed and mutilate
 to prevail

Sicily went far beyond the a tion With justice moreover Scipio Aemilianus says in Cicero, that it was unbecoming for the Roman burgess body to be at the same time the ruler and the tax gatherer of the nations
 tes of

the customs as well as the vexatious modes were not fitted to allay the sense of the injustice thereby inflicted Even as early probably as this period the name of publican became synonymous among the Eastern peoples with that of

rogue and robber: no burden contributed so much as this to make the Roman name offensive and odious especially in the East. But when Gaius Gracchus and those who called themselves the "popular party" in Rome came to the helm, political sovereignty was declared in plain terms to be a right which entitled every one who shared in it to a number of bushels of corn, the hegemony was converted into a direct ownership of the soil, and the most complete system of making the most of that ownership was not only introduced but with shameless candour legally justified and proclaimed. It was certainly not a mere accident, that the hardest lot in this respect fell precisely to the least warlike provinces, Sicily and Asia.

An approximate measure of the condition of Roman finance at this period is furnished, in the absence of definite statements, first of all by the public buildings. In the earlier portion of this epoch these were prosecuted on the greatest scale, and the construction of roads in particular had at no time been so energetically pursued. In Italy the great southern highway of probably earlier origin, which as a prolongation of the Appian road ran from Rome by way of Capua, Beneventum, and Venusia to the ports of Tarentum and Brundisium, had attached to it a branch-road from Capua to the Sicilian straits, a work of Publius Popillius, consul in 332. On the east coast, where hitherto only the section from Fanum to Ariminum had been constructed as part of the Flaminian highway (ii. 76), the coast road was prolonged southward as far as Brundisium, northward by way of Hatria on the Po as far as Aquileia, and the portion at least from Ariminum to Hatria was formed by the Popillius just mentioned in the same year. The two great Etruscan highways—the coast or Aurelian road from Rome to Pisa and Luna, which was in course of formation in 313, and the Cassian road leading by way of Sutrium and Clusium to Arretium and Florentia, which seems not to have been constructed before 313—were probably first recognised at this time as Roman public highways. About Rome itself new projects were not required; but the Mulvian bridge (Ponte Molle), by which the Flaminian road crossed the Tiber not far from Rome, was in 310 reconstructed of stone. Lastly in Northern Italy, which hitherto had possessed no other artificial road than the Flaminio-Aemilian terminating at Placentia, the great Postumian road was constructed in 246, which led from Genua by way of Dertona, where probably a colony was founded at the same time, Placentia, where it joined the Flaminio-Aemilian road, Cremona and

other sphere of political life against the senatorial government of this epoch,

The financial condition of Rome of course assumed a far worse aspect, when the storms of revolution set in. The new and, even in a mere financial point of view, extremely oppressive burden imposed upon the state by the obligation under which Gaius Gracchus placed it to furnish corn at nominal rates to the burgesses of the capital, was certainly counterbalanced at first by the newly opened sources of income in the province of Asia. Nevertheless the public buildings seem from that time to have almost come to a standstill. While the public works which can be shown to have been constructed from the battle of Pydna down to the time of Gaius Gracchus were numerous, from the period after $\frac{63}{172}$ there is scarcely mention of any other than the

point in $\frac{66}{171}$. The terrible storm of insurrection and revolution, in combination with the five years' deficit of the revenues of Asia Minor, was the first serious trial to which the Roman finances were subjected after the Hannibalic war. They failed to sustain it. Nothing perhaps so clearly marks the difference of the times as the circumstance that in the Hannibalic war it was not till the tenth year of the struggle, when the burgesses were almost sinking under taxation, that the reserve was touched (ii 162), whereas the Social war was from the first supported by the balance in hand, and when this was expended after two campaigns to the last penny, they preferred to sell by auction the public sites in the capital (p 240) and to seize the treasures of the temples (p 315) rather than levy a tax on the burgesses. The storm however, severe as it was, passed over, Sulla, at the expense doubtless of enormous economic sacrifices imposed on the subjects and Italian revolutionists in particular, restored order to the finances, and, by abolishing the largesses of corn and retaining although in a reduced form the Asiatic revenues, secured for the commonwealth a satisfactory economic condition, at least in the sense of the ordinary expenditure remaining far below the ordinary income.

In the private economics of this period hardly any new feature

emerges: the advantages and disadvantages formerly set forth as incident to the social circumstances of Italy (ii. 311-367) were not altered, but merely farther and more distinctly developed. In agriculture we have already seen that the growing power of Roman capital was gradually absorbing the intermediate and small landed estates in Italy as well as in the provinces, as the sun absorbs the drops of rain. The government not only looked on without preventing, but even promoted this injurious division of the soil by particular measures, especially by prohibiting the production of wine and oil beyond the Alps with a view to favour the great Italian landlords and merchants.¹ It is true that both the opposition and the section of the conservatives that entered into ideas of reform worked energetically to counteract the evil; the two Gracchi, by carrying out the distribution of almost the whole domain land, gave to the state 80,000 new Italian farmers; Sulla, by settling 120,000 colonists in Italy, filled up at least in part the gaps which the revolution and he himself had made in the ranks of the Italian yeomen. But, when a vessel is emptying itself by constant efflux, the evil is to be remedied not by pouring in even considerable quantities, but only by the establishment of a constant influx—a remedy which was on various occasions attempted, but was not successful. In the provinces, not even the smallest effort was made to save the farmer class there from being bought out by the Roman speculators; the provincials, forsooth, were merely men, and belonged to no party. The consequence was, that even the rents of the soil beyond Italy flowed more and more to Rome. Moreover the plantation-system, which about the middle of this epoch had already gained the ascendant even in particular districts of Italy, such as Etruria, had, through the co-operation of an energetic and methodical management and abundant pecuniary resources, attained to a state of high prosperity after its kind. The production of Italian wine in particular, which was artificially promoted partly by the opening of forced markets in a portion of the provinces, partly by the prohibition of foreign wines in Italy as expressed for instance in the sumptuary law of 133, attained very considerable results: the Aminean and Falernian wine began to be named by the side of the Thasian and Chian, and the "Opimian wine" of 123, the most famous Roman

¹ P. 372. With this may be connected the remark of the Roman agriculturist, Saserna, who lived after Cato and before Varro (*ap. Colum. i. 1, 5*), that the culture of the vine and olive was constantly moving farther to the north. The decree of the senate as to the translation of the treatise of Mago (p. 78) belongs also to this class of measures.

their masters and to fight out their liberty. If we conceive of England with its lords, its squires, and above all its City, but with its freeholders and farmers converted into proletarians, and

The economic relations of this epoch are clearly mirrored to us even now in the Roman monetary system. Its treatment shows

otherwise inevitably associated with the setting up of the precious metals, the severe gold crises—as about $\frac{1}{134}$, for instance when in consequence of the discovery of the Taurisc gold seams (p. 163) gold as compared with silver fell at once Italy about 33½ per cent—exercised at least no direct influence on the silver money and retail transactions. The nature of the case implied that the more transmarine traffic extended, the more decidedly rose from the second place to the first, and that it did so is confirmed by the statements as to the balance

gold pieces which Sulla struck as regent were scarcely more than pieces coined for the convenience of his triumphal presents. Silver still as before circulated exclusively as actual money, gold whether it, as was usual, circulated in bars or bore the stamp of a foreign or possibly even of an inland mint, was taken solely by weight. Nevertheless gold and silver were on a par as means of exchange, and the fraudulent alloying of gold was treated in law, like the issuing of spurious silver money as a monetary offence. They thus obtained the immense advantage of precluding in the case of the most important exchange even the possibility of monetary fraud and adulteration. Otherwise the coinage was as copious as it was of playful purity. After the silver piece had been reduced Hannibalic war from $\frac{1}{2}$ (i. 445) to $\frac{1}{8}$ of a pound (ii retained far more than three centuries quite the same

and the same quality; no alloying took place. The copper money became about the beginning of this period restricted to small change, and ceased to be employed as formerly in large transactions; for this reason the *as* was probably no longer coined after the beginning of the seventh century, and the copper coinage was confined to the smaller values of a *semis* ($\frac{1}{2}$ d.) and under, which could not well be represented in silver. The sorts of coins were arranged according to a simple principle, and in the then smallest coin of the ordinary issue—the *quadrans* ($\frac{1}{4}$ d.)—carried down to the limit of appreciable value. It was a monetary system which, for the judicious principles on which it was based and for the iron rigour with which they were applied, stands alone in antiquity and has been but rarely paralleled even in modern times.

Yet it had also its weak point. According to a custom, common in all antiquity, but which reached its highest development at Carthage (ii. 19), the Roman government issued along with the good silver *denarii* also *denarii* of copper plated with silver, which had to be accepted like the former and were just a token-money analogous to our paper currency, with compulsory circulation and recourse on the public chest, inasmuch as it also was not entitled to reject the plated pieces. This was no more an official adulteration of the coinage than our manufacture of paper money, for they practised the thing quite openly; Marcus Drusus proposed in 69 B.C., with the view of gaining the means for his largesses of grain, the sending forth of one plated *denarius* for every seven silver ones issuing fresh from the mint; nevertheless this measure not only afforded a dangerous handle to private forgery, but designedly left the public uncertain whether it was receiving silver or token money, and to what total amount the latter was in circulation. In the embarrassed period of the civil war and of the great financial crisis they seem to have so indulgently availed themselves of plating, that a monetary crisis accompanied the financial one, and the quantity of spurious and really worthless pieces rendered dealings extremely insecure. Accordingly during the Cinnan government an enactment was passed by the praetors and tribunes, primarily by Marcus Marius Gratidianus (p. 332), for redeeming all the token-money by means of silver money, and for that purpose an assay-office was established. How far the calling-in was effected, tradition has not told us; the coining of token-money itself continued to subsist. As to the provinces, in accordance with the setting aside of old money on principle, the coining of gold was nowhere

pounds each, several of which brought their possessors into the lists of proscription. To judge of the sums expended on these, we must recollect that the workmanship also was paid for at enormous rates; for instance, Gaius Gracchus paid for choice articles of silver fifteen times, and Lucius Crassus, consul in 63⁶², eighteen times the value of the metal, and the latter gave for a pair of cups by a noted silversmith 100,000 sesterces (£1000). So it was in proportion everywhere.

How it fared with marriage and the rearing of children, is shown by the Gracchan agrarian laws, which first placed a premium thereon (p. 85). Divorce, formerly in Rome almost unheard of, was now a daily occurrence; while in the oldest Roman marriage the husband had purchased his wife, it might

man like Metellus Macedonicus, who for his honourable domestic life and his numerous host of children was the admiration of his contemporaries, when censor in 83⁸² enforced the obligation of the burgesses to live in a state of matrimony by describing it as an oppressive public burden which patriots ought nevertheless to undertake from a sense of duty.¹

There were, certainly, exceptions. The society of the rural towns, and particularly the larger landholders, had preserved more faithfully the old honourable habits of the Latin nation. In the capital, however, the Catonian opposition had become a mere form of words, the modern tendency bore sovereign sway. The individuals of firm and refined organisation, who were combining Roman and Greek culture, were among the great moral corruption. We must never lose sight of the reaction exercised by these social evils on political life, if we would understand the Roman revolution. It was no matter of indifference, that of the two noblemen, who in 63⁶² served as supreme masters of morals to the community, the one publicly reproached the other with having shed tears over the death of a *muraena* the pride of his fishpond, and the latter retaliated on the former that he had buried three wives and had shed tears over none of them. It

"If we could, citizens"—he said in his speech—"we should indeed all keep clear of this burden. But, as nature has so arranged it that we cannot either live comfortably with wives or live at all without them, it is proper to have regard rather to the permanent weal than to our own brief comfort."

was no matter of indifference, that in $\frac{593}{161}$ an orator could make sport in the open Forum with the following description of a senatorial civil jurymen, whom the time set for the cause finds amidst the circle of his boon-companions. "They play at hazard, delicately perfumed, surrounded by their mistresses. As the afternoon advances, they summon the servant and bid him make enquiries on the Comitium, what has occurred in the Forum, who has spoken in favour of or against the new project of law, what tribes have voted for and what against it. At length they go themselves to the judgment-seat, just early enough not to bring the process down on their own neck. On the way there is no opportunity in any retired alley which they do not avail themselves of, for they have gorged themselves with wine. Reluctantly they come to the tribunal and give audience to the parties. Those who are concerned bring forward their cause. The jurymen orders the witnesses to come forward; he himself steps aside. When he returns, he declares that he has heard everything and asks for the documents. He looks into the writings; he can hardly keep his eyes open for wine. When he thereupon withdraws to consider his sentence, he says to his boon-companions, 'What concern have I with these tiresome people? why should we not rather go to drink a cup of mulse mixed with Greek wine, and accompany it with a fat fieldfare and a good fish, a veritable pike from the Tiber island?'" Those who heard the orator laughed; but was it not a very serious matter, that such things were subjects for laughter?

CHAPTER XII

NATIONALITY, RELIGION, AND EDUCATION

IN the great struggle of the nationalities throughout the wide range of the Roman empire, the secondary nations seem at this period on the wane or disappearing. The most important of them all, the Phœnician, received through the destruction of Carthage a mortal wound from which it slowly bled to death. The districts of Italy which had hitherto preserved their old language and manners, Etruria and Samnium, were not only visited by the heaviest blows of the Sullan reaction, but were compelled also by the political levelling of Italy to adopt the Latin language and customs in public intercourse, so that the old native languages were reduced to popular dialects which soon decayed. There no longer appears throughout the bounds of the Roman state any nationality entitled even to compete with the Roman and the Greek. On the other hand the Latin nationality was, as respected both the extent of its diffusion and the depth of its hold, in the most decided ascendant. As after the Social war any portion of Italian soil might belong to any Italian in full Roman ownership, and any god of an Italian temple might receive Roman gifts, as in all Italy with the exception of the region beyond the Po the Roman law thenceforth had exclusive authority, superseding all other civic and local laws, so the Roman language at that time became the universal language of business, and soon likewise the universal language of civilised intercourse, in the whole peninsula from the Alps to the Sicilian Straits. But it no longer restricted itself to these natural limits. The mass of capital accumulating in Italy, its copiousness of production, the intelligence of its agriculturists, the cleverness of its merchants, found no adequate scope in the peninsula, these circumstances and the public service carried the Italians in great numbers to the provinces (p. 387). Their privileged position there rendered the Roman language and the Roman law privileged also, even where Romans were not merely transacting business with each other (p. 353). Everywhere the Italians kept together as compact and organised masses, the soldiers in their legions,

the merchants of every larger town as special associations, the Roman burgesses domiciled or sojourning in the particular provincial assize-districts as "circuits" (*conventus civium Romanorum*) with their own list of jurymen and in some measure with a communal constitution; and, though these provincial Romans ordinarily returned sooner or later to Italy, they nevertheless gradually laid the foundations of a settled population in the provinces, partly Roman, partly mixed, attaching itself to the Roman settlers. We have already mentioned that it was in Spain, where the Roman army first acquired a permanent character, that distinct provincial towns with Italian constitution were first organised—Carteia in $\frac{5}{1} \frac{8}{7} \frac{1}{1}$ (p. 4), Valentia in $\frac{6}{1} \frac{16}{38}$ (p. 17), and at a later date Palma and Pollentia (p. 18). Although the interior was still far from civilised,—the territory of the Vaccaeans, for instance, being still mentioned long after this time as one of the rudest and most repulsive places of abode for the cultivated Italian—authors and inscriptions attest that as early as the middle of the seventh century the Latin language was in common use around New Carthage and elsewhere along the coast. Gracchus first distinctly developed the idea of colonising, or in other words of Romanising, the provinces of the Roman state by Italian emigration, and endeavoured to carry it out; and, although the conservative opposition resisted the bold project, destroyed for the most part the colonies first established, and prevented its continuation, yet the colony of Narbo was preserved intact, important even of itself as extending the range of the Latin tongue, and far more important still as the landmark of a great idea, the foundation-stone of a mighty structure to come. The ancient Gallicism, and in fact the modern French type of character, sprang out of that settlement, and are in their ultimate origin creations of Gaius Gracchus. But the Latin nationality not only filled the bounds of Italy and began to pass beyond them; it came also to acquire intrinsically a deeper intellectual basis. We find it in the course of creating a classical literature, and a higher instruction of its own; and, though in comparison with the Hellenic classics and Hellenic culture we may feel ourselves tempted to attach little value to the feeble hothouse products of Italy, yet, so far as its historical development was primarily concerned, the quality of the Latin classical literature and the Latin culture was of far less moment than the fact that they subsisted side by side with the Greek; and, sunken as were the contemporary Hellenes in a literary point of view, one might doubtless apply in this case also the

saying of the poet, that the living day labourer is better than the dead Achilles

But, however rapidly and vigorously the Latin language and nationality gain ground, they at the same time recognise the Hellenic nationality as having an entirely equal, indeed an earlier and better title, and enter everywhere into the closest

Greek cities of Tarentum, Rhegium, Neapolis, *locus (p. 233)*
In like manner Massilia, although now enclosed by Roman territory, remained a Greek city and in that very capacity firmly connected with Rome. With the complete Latinising of Italy an increased Hellenising went hand in hand. In the higher circles of Italian society Greek training became an integral element of their native culture. The consul of $\frac{523}{131}$, the *pontifex maximus* Publius Crassus, excited the astonishment even of the native Greeks, when as governor of Asia he delivered his judicial decisions, as the case required, sometimes in ordinary Greek, sometimes in one of the four dialects which had become written language.

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Asia Minor, and Egypt, and confer on the Greek poets and artists who had acquired celebrity there the like recognition and the like honours among themselves, in Rome also, after the example set by the destroyer of Corinth at his triumph in $\frac{506}{146}$, the gymnastic and aesthetic recreations of the Greeks—competitions in wrestling as well as in music, acting, reciting, and declaiming—came into vogue.¹ Greek men of letters even thus early struck root in the noble society of Rome, especially in the Scipionic circle, from which the most eminent Greek members of which—the historian

ius—belong to the history of the Roman Empire. But even in other

less illustrious circles similar relations occur, we may mention another contemporary of Scipio, the philosopher Clitomachus, because his life at the same time presents a vivid view of the great intermingling of nations at this epoch. A native of Car-

¹ The statement that no Greek games were exhibited in Rome before $\frac{608}{146}$ (Tac. *Ann.* xiv. 21) is not accurate. Greek artists (*texvitat*) and athletes appeared as early as $\frac{568}{188}$ (Liv. xxxix. 22), and Greek flute-players, tragedians and pugilists in $\frac{537}{167}$ (Pol. xxx. 13).

thage, then a disciple of Carneades at Athens, and afterwards his successor in his professorship; Clitomachus held intercourse from Athens with the most cultivated men of Italy, the historian Aulus Albinus and the poet Lucilius, and dedicated on the one hand a scientific work to Lucius Censorinus the Roman consul who opened the siege of Carthage, and on the other hand a philosophic consolatory treatise to his fellow-citizens who were conveyed to Italy as slaves. While Greek literary men of note had hitherto taken up their abode temporarily in Rome as ambassadors, exiles, or otherwise, they now began to settle there; for instance, the already mentioned Panaetius lived in the house of Scipio, and the hexameter-maker Archias of Antioch settled at Rome in $\frac{65}{102}$ and supported himself respectably by the art of improvising and by epic poems on Roman consuls. Even Gaius Marius, who hardly understood a line of his *carmen* and was altogether as ill adapted as possible for a Maecenas, could not avoid patronising the artist in verse. While intellectual and literary life thus brought the more distinguished, if not the purer, elements of the two nations into connection with each other, on the other hand the arrival of troops of slaves from Asia Minor and Syria and the mercantile immigration from the Greek and half-Greek East brought the coarsest strata of Hellenism—largely alloyed with Oriental and generally barbaric ingredients—into contact with the Italian proletariat, and gave to that also a Hellenic colouring. The remark of Cicero, that new phrases and new fashions first made their appearance in maritime towns, probably had a primary reference to the semi-Hellenic character of Ostia, Puteoli, and Brundisium, where with foreign wares foreign manners also first found admission and became thence more widely diffused.

The immediate result of this complete revolution in the relations of nationality was certainly far from pleasing. Italy swarmed with Greeks, Syrians, Phoenicians, Jews, Egyptians, while the provinces swarmed with Romans; sharply defined national peculiarities everywhere came into mutual contact, and were visibly worn off; it seemed as if nothing was to be left behind but the general impress of utilitarianism. What the Latin character gained in diffusion it lost in freshness; especially in Rome itself, where the middle class disappeared the soonest and most entirely, and nothing was left but the grandes and the beggars, both in an equal measure cosmopolitan. Cicero assures us that about $\frac{66}{94}$ the general culture in the Latin towns was higher than in Rome; and this is confirmed by the literature

of this period, whose pleasantest, healthiest, and most characteristic products, such as the national comedy and the Lucilian satire, are with greater justice described as Latin, than as Roman. That the Italian Hellenism of the lower orders was in reality nothing but a repulsive cosmopolitanism tainted at once with all the extravagances of culture and with a superficially white-washed barbarism, is self evident, but even in the case of the better society the fine taste of the Scipionic circle did not remain the permanent standard. The more the mass of society began to take interest in Greek life, the more decidedly it resorted not to the classical literature, but to the most modern and frivolous productions of the Greek mind, instead of moulding the Roman character in the Hellenic spirit, they contented themselves with borrowing that sort of pastime which set their own intellect to work as little as possible. In this sense the Arpinate landlord Marcus Cicero, the father of the orator, said that among the Romans just as among Syrian slaves, each was the less worth the more he understood Greek.

This national decomposition is, like the whole age, far from pleasing, but also like that age significant and momentous. The circle of peoples, which we are accustomed to call the ancient world, advances from an outward union under the authority of Rome to an inward union under the sway of the modern culture resting essentially on Hellenic elements. Over the ruins of peoples of the second rank the great historical compromise between the two ruling nations is silently completed, the Greek and Latin nationalities conclude mutual peace. The Greeks renounce their exclusiveness in the field of culture, the Romans in the field of politics, in instruction Latin is allowed to stand on a footing of equality—restricted, it is true, and imperfect—with Greek, on the other hand Sulla first allows foreign ambassadors to speak Greek before the Roman senate without an interpreter. The time heralds its approach, when the Roman commonwealth will pass into a bilingual state and the true heir of the throne and the ideas of Alexander the Great will arise in the West, at once a Roman and a Greek.

The suppression of the secondary, and the mutual interpenetration of the two primary nationalities, which are thus apparent on a general survey of national relations, now fall to be more precisely exhibited in detail in the several fields of religion, national education, literature, and art.

The Roman religion was so intimately interwoven with the Roman commonwealth and the Roman household—so thoroughly

in fact the pious reflection of the Roman burgess-world—that the political and social revolution necessarily overturned also the fabric of religion. The ancient Italian popular faith fell to the ground; over its ruins rose—like oligarchy and despotism rising over the ruins of the political commonwealth—on the one side unbelief, state-religion, Hellenism, and on the other side superstition, sectarianism, the religion of the Orientals. The germs certainly of both, as indeed the germs of the politico-social revolution also, may be traced back to the previous epoch (ii. 373-380). Even then the Hellenic culture of the higher circles was secretly undermining their ancestral faith; Ennius introduced the allegorical and historical theories of the Hellenic religion into Italy; the senate, which subdued Hannibal, had to sanction the transference of the worship of Cybele from Asia Minor to Rome, and to take the most serious steps against other still worse superstitions, particularly the Bacchanalian scandal. But, as during the preceding period the revolution generally was rather preparing in men's minds than assuming outward expression, so the religious revolution was in substance, at any rate, the work only of the Gracchan and Sullan age.

Let us endeavour first to trace the tendencies associated with Hellenism. The Hellenic nation, which bloomed and faded far earlier than the Italian, had long ago passed the epoch of faith and thenceforth moved exclusively in the sphere of speculation and reflection; for long there had been no religion there, and nothing but philosophy. But even the philosophic activity of the Hellenic mind had, when it began to exert influence on Rome, already left the epoch of productive speculation far behind it, and had arrived at the stage at which there is not only no origination of really new systems, but even the power of apprehending the more perfect of the older systems begins to wane and men restrict themselves to the repetition, soon passing into the scholastic tradition, of the less complete dogmas of their predecessors; at that stage, accordingly, when philosophy, instead of giving greater depth and freedom to the mind, rather renders it shallow and imposes on it the worst of all chains—chains of its own forging. The enchanted draught of speculation, always dangerous, is, when diluted and stale, certain poison. The contemporary Greeks presented it thus flat and diluted to the Romans, and these had not the judgment either to refuse it or to go back from the living schoolmasters to the dead masters. Plato and Aristotle, to say nothing of the sages before Socrates, remained without material influence on the

Roman culture, although their illustrious names were freely employed, and their more easily understood writings were probably read and translated. Accordingly the Romans became in philosophy simply inferior scholars of bad teachers. Besides the historico-rationalistic view of religion, which resolved the myths into biographies of various benefactors of the human race living in the grey dawn of early times whom superstition had transformed into gods, or Euhemerism as it was called (ii. 377), there were chiefly three philosophical schools that came to Rome from Greece, viz. the two dogmatic schools of the Academy and the Peripatetic school, and the school of Socrates, Epicureanism, the Stoa, and the new Academy. The Academy and the Peripatetic school were both of the old type of dogmatic philosophy, and were both of them in a declining state when they came to Rome. The Stoa and the new Academy were of the new type, and were both of them in a rising state when they came to Rome.

provisional opinion sufficient for the purpose. It presented mainly a polemical aspect, seeing that it caught every proposition of positive faith or of philosophic dogmatism in the meshes of its dilemmas. So far it stands nearly on a parallel with the earlier method of the sophists; except that, as might be expected, the sophists made war more against the popular religion than against the popular philosophy. The new Academy and the Stoa, on the other hand, in their aim of rationally explaining the world, followed their physiological method, which set out from the idea of matter. They diverged, in so far as Epicurus, following the atomic theory of Democritus, conceived the first principle as rigid matter, and evolved the manifoldness of things out of this matter merely by mechanical variations; whereas Zeno, forming his views after the Ephesian Heraclitus, introduces even into his primordial matter a dynamic antagonism and a movement of fluctuation up and down. From this are derived the further distinctions—that in the Epicurean system the gods as it were did not exist or were at the most a dream of dreams, while the Stoical gods formed the ever active soul of the world, and were as spirit, as God, powerful over the body, the earth, and nature; that in the Epicurean system the government of the world was a mere mechanical process, while in the Stoical system it was a rational process.

in conflict and perpetually at peace. But in one point all these schools were agreed with reference to religion, that faith as such was nothing, and had necessarily to be supplemented by reflection—whether this reflection might consciously despair of attaining any result, as did the Academy; or might reject the conceptions of the popular faith, as did the school of Epicurus; or might partly retain them with explanation of the reasons for doing so, and partly modify them, as did the Stoics.

It was accordingly only natural that the first contact of Hellenic philosophy with the Roman nation, equally strong in faith and adverse to speculation, should be of a thoroughly hostile character. The Roman religion was entirely right in disdaining alike the assaults and the theoretic support of these philosophical systems, both of which did away with its proper character. The Roman state, which instinctively felt itself assailed when religion was attacked, reasonably assumed towards the philosophers the attitude which a fortress assumes towards the spies of the army advancing to besiege it, and as early as $\frac{523}{161}$ dismissed the Greek philosophers along with the rhetoricians from Rome. In fact the very first *début* of philosophy on a great scale in Rome was a formal declaration of war against faith and morals. It was occasioned by the occupation of Oropus by the Athenians, a step which they commissioned three of the most esteemed professors of philosophy, including Carneades the master of the modern sophistical school, to justify before the senate ($\frac{523}{161}$). The selection was so far appropriate, as the utterly scandalous transaction defied any justification in common sense; whereas it was quite in keeping with the circumstances of the case, when Carneades proved by thesis and counter-thesis that exactly as many and as cogent reasons might be adduced in praise of injustice as in praise of justice, and when he showed in due logical form that with equal propriety the Athenians might be required to surrender Oropus and the Romans to confine themselves once more to their old straw huts on the Palatine. The young men who were masters of the Greek language were attracted in crowds by the scandal as well as by the lively and emphatic delivery of the celebrated man; but on this occasion at least Cato could not be found fault with, when he not only bluntly enough compared the dialectic arguments of the philosophers to the tedious dirges of the wailing-women, but also insisted on the senate dismissing a man who understood the art of making right wrong and wrong right, and whose defence was in fact nothing but a shameless and almost insulting confession of injustice.

It should be said, had no great effect, more especially as the philosophic
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first to tolerate philosophy at least as a necessary evil, and ere long to seek for the Roman religion, which was no longer tenable in its simplicity, a support in foreign philosophy—a support which no doubt ruined its faith, but in return at any rate allowed the man of culture decorously to retain in some measure the names and forms of the popular creed. But this support could neither be Euhemerism, nor the system of Carneades or of Epicurus. The historical version of the myths came far too rudely into collision with the popular faith, when it declared the gods directly to be men, Carneades called even their existence in question, and Epicurus denied to them at least any influence *on the fortunes of men*. Between these systems and the Roman religion no alliance was possible, they were proscribed and remained so. Even in the writings of Cicero it is declared the duty of a citizen to resist Euhemerism as prejudicial to religious worship, and if the Academic and the Epicurean appear in his dialogues, the former has to plead the excuse that, while as a philosopher he is a disciple of Carneades, as a citizen and *pontifex* he is an orthodox confessor of the Capitoline Jupiter, and the Epicurean has even ultimately to surrender and be converted. No one of these three systems was in any proper sense popular. The plain intelligible character of Euhemerism exerted doubtless a certain power of attraction over the Romans, and in particular produced only too deep an effect on the conventional history of Rome with its at once childish and senile resolution of fable into history—but it remained without material influence on the Roman religion, because the latter from the first dealt only in the real and it was not possible in Rome as in
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sophistic school, and this was probably the reason why the po- continued to wage war against it longest and most seriously. But this Roman Epicureanism was not so much a philosophic system as a sort of philosophical mask, under which—very much

against the design of its strictly moral founder—thoughtless sensual enjoyment dressed itself out for good society; one of the earliest adherents of this sect, for instance, Titus Albucius, figures in the poems of Lucilius as the prototype of the Roman Hellenising to bad purpose.

Far different were the position and influence of the Stoic philosophy in Italy. In direct contrast to these schools it attached itself to the religion of the land, as closely as science can at all accommodate itself to faith. To the popular faith with its gods and oracles the Stoic adhered on principle, inasmuch as he recognised in it an instinctive knowledge to which scientific knowledge was bound to have regard, and even in doubtful cases to subordinate itself. He believed in a different way from the people rather than in different objects; the essentially true and supreme God was in his view doubtless the world-soul, but every manifestation of the primitive God was in its turn divine, the stars above all, but also the earth, the vine, the soul of the illustrious mortal whom the people honoured as a hero, and in fact every departed spirit of a former man. This philosophy was really better adapted for Rome than for the land where it first arose. The objection of the pious believer, that the god of the Stoic had neither sex nor age nor corporeality and was converted from a person into an idea, had a meaning in Greece, but not in Rome. The coarse allegorising and moral purification, which were characteristic of the Stoical doctrine of the gods, destroyed the very marrow of the Hellenic mythology; but the plastic power of the Romans, scanty even in their epoch of simplicity, had produced no more than a light veil enveloping the original intuition or the original notion out of which the divinity had arisen—a veil that might be stripped off without special damage. Pallas Athene might be indignant, when she found herself suddenly transmuted into the idea of memory: Minerva had hitherto been in reality not much more. The supernatural Stoic, and the allegoric Roman, theology coincided on the whole in their result. But, even if the philosopher was obliged to designate individual propositions of the priestly lore as doubtful or as erroneous—as when the Stoics, for example, rejecting the doctrine of apotheosis, saw in Hercules, Castor and Pollux nothing but the spirits of distinguished men, or as when they could not allow the images of the gods to be regarded as representations of divinity—it was at least not the habit of the adherents of Zeno to make war on these erroneous doctrines and to overthrow the false gods; on the contrary, they everywhere

evinced respect and reverence for the religion of the land even in its weaknesses. The inclination also of the Stoa towards a casuistic morality and towards a systematic treatment of the professional sciences was quite to the mind of the Romans, especially of the Romans of this period, who no longer like their

grammar and jurisprudence, moreover, urgently required a methodical treatment, without possessing the ability to develop such a treatment of themselves. So this philosophy thoroughly incorporated itself, as a plant borrowed no doubt from abroad but acclimatised in Italian soil, with the Roman national economy, and we meet its traces in the most diversified spheres of action. Its earliest appearance beyond doubt goes further back, ranks around

of Scipio and of all Scipio's intimate friends in the Stoical philosophy, who was constantly in his train and usually attended him even on journeys, knew how to adapt the system to clever men of the world, to keep its speculative side in the background, and to modify in some measure the dryness of the terminology and the insipidity of its moral catechism, more particularly by the aid of the earlier philosophers, among whom Scipio himself had an especial predilection for the Socrates of Xenophon. Thenceforth the most noted statesmen and scholars professed the Stoic philosophy—among others Stilo and Quintus Scaevola, the founders of scientific philology and of scientific jurisprudence. The scholastic formality of system, which thenceforth prevails at least externally in these professional sciences and is especially associated with a fanciful, charade like, insipid method of etymologising, descends from the Stoa. But infinitely more important was the new state philosophy and state religion, which emanated from the blending of the Stoic philosophy and the Roman religion. The speculative element, from the first impressed with but little energy on the system of Zeno, and still further weakened when that system found admission to Rome—after the Greek schoolmasters had already for a century been busied in driving this philosophy into boys' heads and thereby driving the spirit out of it—fell completely into the shade in Rome, where nobody speculated but the money changers, little more was said as to the ideal development of the God ruling in

the soul of man; or of the divine law of the world. The Stoical philosophers showed themselves not insensible to the very lucrative distinction of seeing their system raised into the semi-official Roman state-philosophy, and proved altogether more pliant than from their rigorous principles we should have expected. Their doctrine as to the gods and the state soon exhibited a singular family resemblance to the actual institutions of those who nourished them; instead of illustrating the cosmopolitan state of the philosopher, they made their meditations turn on the wise arrangement of the Roman magistracies; and while the more refined Stoics such as Panaetius had left the question of divine revelation by wonders and signs open as a thing conceivable but uncertain and had decidedly rejected astrology, his immediate successors contended for that doctrine of revelation or, in other words, for the Roman augural discipline as rigidly and firmly as for any other maxim of the school and made extremely unphilosophical concessions even to astrology. The leading feature of the system came more and more to be its casuistic doctrine of duty. It suited itself to the hollow pride of virtue, in which the Romans of this period sought their compensation amidst the various humbling circumstances of their contact with the Greeks; and it put into formal shape a befitting doctrine of morality, which, like every well-bred system of morals, combined with the most rigid precision as a whole the most complaisant indulgence in the details.¹ Its practical results can hardly be estimated as much more than that, as we have said, two or three families of rank ate poor fare to please the Stoa.

Closely allied to this new state-philosophy—or, strictly speaking, its other side—was the new state-religion; the essential characteristic of which was the conscious retention of the principles of the popular faith, which were recognised as irrational, for reasons of outward convenience. One of the most prominent men of the Scipionic circle, the Greek Polybius, candidly declares that the strange and ponderous ceremonial of Roman religion was invented solely on account of the multitude, which, as reason had no power over it, required to be ruled by signs and wonders, while people of intelligence had certainly no need of religion. Beyond doubt Polybius' Roman friends substantially shared these sentiments, although they did not oppose science and religion to each other in so gross and downright a fashion. Neither Laelius nor Scipio Aemilianus can have

¹ A delightful specimen may be found in Cicero *de Officiis*, iii. 12, 13.

and their paramours, young men likewise of the best houses, were brought to trial for unchastity first before the pontifical college, and then, when it sought to hush up the matter, before an extraordinary court instituted by special decree of the people, and were all condemned to death. Such scandals, it is true, sedate people could not approve, but there was no objection to men discussing the folly of positive religion in their familiar circle, the augurs might, when one saw another performing his functions, smile in each other's face without detriment to their religious duties. We learn to look favourably on the modest hypocrisy of kindred tendencies, when we compare with it the coarse shamelessness of the Roman priests and Levites. The official religion was quite candidly treated as a hollow framework, now serviceable only for political machinists, in this respect with its numerous recesses and trap doors it might and did serve either party, as it happened. Most of all certainly the oligarchy recognised its palladium in the state religion, and particularly in the augural discipline, but the opposite party also made no resistance in point of principle to an institute which had now merely a semblance of life, they regarded it, on the contrary, as a bulwark which might pass from the possession of the enemy into their own.

In sharp contrast to this ghost of religion which we have just

1. A - not far from worships, which this epoch

were at least undeniably

They meet us everywhere,

as well as among the circles

of the slaves, in the general as in the trooper, in Italy as in the provinces. It is incredible to what a height this superstition already reached. When in the Cambrian war a Syrian prophetess, Martha, offered to furnish the senate with ways and means for the vanquishing of the Germans, the senate dismissed her with contempt, nevertheless the Roman ladies and Marius' own wife in particular despatched her to his head quarters, where the general readily received her and carried her about with him till the Teutones were defeated. The leaders of very different parties in the civil war, Marius, Octavius, Sulla, coincided in believing omens and oracles. During its course even the senate was under the necessity, in the troubles of 667, of consenting to issue directions in accordance with the fancies of a crazy prophetess. It is significant of the ossification of the Romano-Hellenic religion as well as of the increasing craving of the multitude after stronger religious stimulants, that superstition

Rome and Italy within ten days. The same fate at the same time befell the Jews, who had admitted Italian proselytes to their sabbath. In like manner Scipio had to clear the camp before

the Cappadocian Ma, or, as the Romans called her, Bellona, to whom the priests in their festal processions shed their own blood as a sacrifice, and the gloomy Egyptian worships began to make their appearance, the former Cappadocian goddess appeared in a dream to Sulla, and of the later Roman communities of Isis and Osiris the oldest traced their origin to the Sullan period. Men had become perplexed not merely as to the old faith, but as to their very selves, the fearful crises of a fifty years' revolution, the instinctive feeling that the civil war was still far from being at an end, increased the anxious suspense, the gloomy perplexity of the multitude. Restlessly the wandering imagination sought and fathomed every abyss, where it sought light amidst the desperate

struggle against destiny, or perhaps might find merely fresh alarms. A portentous mysticism found in the general distraction—political, economic, moral, religious—the soil which was adapted for it, and grew with alarming rapidity, it was as if gigantic trees had grown by night out of the earth, none knew whence or whither, and this very marvellous rapidity of growth marked new wonders and seized like an epidemic on all minds thoroughly fortified

just as in the sphere of religion, the revolution begun in the previous epoch was now completed also in the sphere of education and culture. We have already shown how the fundamental idea of the Roman system—civil equality—had already during the sixth century begun to be undermined in this field also. Even in the time of Pictor and Cato Greek culture was widely diffused in Rome, and there was a native Roman culture, but neither of them had then got beyond the initial stage. Cato's encyclopaedia shows tolerably what was understood at this period by the word culture, it was little more than a hold knowledge, and a scanty culture of the period, scanty enough. At how low a stage the average instruction of youth in Rome still stood at the beginning of the seventh century, may be inferred from the expressions of

Polybius, who in this one respect prominently censures the criminal indifference of the Romans as compared with the intelligent private and public care of his countrymen; no Hellene, not even Polybius himself, could rightly understand the deeper idea of civil equality that lay at the root of this indifference.

Now the case was altered. Just as the naïve popular faith was superseded by an enlightened Stoical supernaturalism, so in education alongside of the simple popular instruction a special training, an exclusive *humanitas*, developed itself and eradicated the last remnants of the old social equality. It will not be superfluous to cast a glance at the aspect assumed by the new instruction of the young, both the Greek and the higher Latin.

It was a singular circumstance that the same man, who in a political point of view definitively vanquished the Hellenic nation, Lucius Aemilius Paullus, was at the same time the first or one of the first who fully recognised the Hellenic civilisation as—what it has thenceforth continued to be beyond dispute—the civilisation of the ancient world. He was himself indeed an old man before it was granted to him, with the Homeric poems in his mind, to stand before the Zeus of Phidias; but his heart was young enough to carry home the full sunshine of Hellenic beauty and the unconquerable longing after the golden apples of the Hesperides in his soul; poets and artists had found in the foreigner a more earnest and cordial devotee than was any of the wise men of the Greece of those days. He made no epigram on Homer or Phidias, but he had his children introduced into the realms of intellect. Without neglecting their national education, so far as there was such, he made provision like the Greeks for the physical development of his boys, not indeed by gymnastic exercises which were according to Roman notions inadmissible, but by instruction in the chase, which was among the Greeks developed almost like an art; and he elevated their Greek instruction in such a way that the language was no longer merely learned and practised for the sake of speaking, but after the Greek fashion the whole subject-matter of general higher culture was associated with the language and developed out of it—embracing, first of all, the knowledge of Greek literature with the mythological and historical information necessary for understanding it, and then rhetoric and philosophy. The library of king Perseus was the only portion of the Macedonian spoil that Paullus took for himself, with the view of presenting it to his sons. Even Greek painters and sculptors were found in his train and completed the aesthetic training of his children.

That the time was past when men could in this field preserve a merely negative attitude as regarded Hellenism, had been felt even by Cato, the better classes had probably now a presentiment that the noble substance of Roman character was less endangered by Hellenism as a whole, than by Hellenism mutilated and misshapen—the mass of the upper society of Rome and Italy went along with the new mode. There had been for long no want of Greek schoolmasters in Rome, now they arrived in troops—and as teachers not merely of the language but of literature and culture in general—at the newly-opened lucrative market for the sale of their wisdom. Greek tutors and teachers of philosophy, who, even if they were not slaves, were as a rule accounted as servants,¹ were now permanent inmates in the palaces of Rome, people speculated in them, and there is a statement that 200,000 sesterces (£2000) were paid for a Greek literary slave of the first rank. As early as $\frac{593}{591}$ there existed in the capital a number of special establishments for the practice of Greek declamation. Several distinguished names already occur among these Roman teachers, the philosopher Panaetius has been already mentioned (p. 406), the esteemed grammarian Crates of Mallus in Cilicia, the contemporary and equal rival of Aristarchus, found about $\frac{586}{584}$ at Rome an audience for the recitation and philological and practical illustration of the Homeric poems. It is true that this new mode of juvenile instruction, revolutionary and anti-national as it was, encountered partially the resistance of the

— + — + the edict of dismissal, which the authorities in
and philosophers, remained
of the Roman chief magis-
without any result worth

mentioning, and after the death of old Cato there were still doubtless frequent complaints in accordance with his views, but there was no further action. The higher instruction in Greek and in the sciences of Greek culture remained thenceforth recognised as an essential part of Italian training.

But by its side there sprang up also a higher Latin instruction. We have shown in the previous epoch how Latin elementary instruction raised its character, how the place of the Twelve Tables was taken by the Latin *Odyssey* as a sort of improved

¹ Cicero says that he treated his learned slave Dionysius more respectfully than Scipio treated Panaetius, and in the same sense it is said in Lucilius—

*Penula si quaeris canteris, servus, segetis
Utilior mihi quam sapiens*

primer, and the Roman boy was now trained to the knowledge and delivery of his mother-tongue by means of this translation, as the Greek by means of the original: how noted teachers of the Greek language and literature, Andronicus, Ennius, and others, who already probably taught not children properly so called, but boys growing up to maturity and young men, did not disdain to give instruction in the mother-tongue along with the Greek. These were the first steps towards a higher Latin instruction, but they did not as yet form such an instruction itself. Instruction in a language cannot go beyond the elementary stage, so long as it wants a literature. It was not until there were not merely Latin schoolbooks but a Latin literature, and this literature subsisted with a certain completeness in the works of the classics of the sixth century, that the mother-tongue and the native literature truly entered the circles of the elements of higher culture; and the emancipation from the Greek schoolmasters was now not slow to follow. Stirred up by the Homeric prelections of Crates, cultivated Romans began to read the recitative works of their own literature, the Punic War of Nævius, the Annals of Ennius, and subsequently also the Poems of Lucilius first to a select circle, and then in public on set days and in presence of a great concourse, and occasionally also to treat them critically after the precedent of the Homeric grammarians. These literary prelections, which cultivated *dilettanti* (*litterati*) held gratuitously, were not formally a part of juvenile instruction, but were yet an essential means of introducing the youth to the understanding and the delivery of the classic Latin literature.

The formation of Latin oratory took place in a similar way. The Roman youth of rank, who were even at an early age instigated to come forward in public with panegyrics and forensic speeches, can never have wanted exercises in oratory; but it was only at this epoch, and in consequence of the new exclusive culture, that there arose a rhetoric properly so called. Marcus Lepidus Porcina (consul in $\frac{611}{137}$) is mentioned as the first Roman advocate who technically handled the language and subject-matter; the two famous advocates of the Marian age, the masculine and vigorous Marcus Antonius ($\frac{611}{137} - \frac{667}{87}$) and the polished and chaste orator Lucius Crassus ($\frac{614}{140} - \frac{663}{51}$) were already complete rhetoricians. The exercises of the young men in speaking increased naturally in extent and importance, but still remained, just like the exercises in Latin literature, essentially limited to the personal attendance of the beginner

on the master of the art so as to be trained by his example and his instructions

Formal instruction both in Latin literature and in Latin rhetoric was given first about 106 by Lucius Aelius Præconinus of Lanuvium, called the "penman" (*Stilo*), a distinguished Roman knight of strict conservative views, who read Plautus and similar works with a select circle of younger men—including Varro and Cicero—and sometimes also went over outlines of speeches with the authors, or put similar outlines into the hands of his friends. This was a real instruction. *Stilo* however was not a professional schoolmaster, but he taught literature and rhetoric, just as jurisprudence was taught at Rome, in the character of a senior friend of aspiring young men, not of a man hiring out his services and at every one's command.

But about his time began also the scholastic higher instruction in Latin, separated both from elementary Latin and from Greek instruction, and imparted in special establishments by paid masters, ordinarily manumitted slaves. That its spirit and method were throughout borrowed from the exercises in the Greek literature and language, was a matter of course, and the scholars also consisted, as at these exercises, of youths, and not of boys. This Latin instruction was soon divided like the Greek into two courses, in so far as the Latin literature was first scientifically prelected on, and then a technical introduction was given to the preparation of panegyrics, public, and forensic orations. The first Roman school of literature was opened about *Stilo*'s time by Marcus Sævius Nicanor Postumus, the first separate school for Latin rhetoric about 66 by Lucius Plotius Gallus, but ordinarily instructions in rhetoric were also given in the Latin schools of literature. This new Latin school-instruction was of the most comprehensive importance. The introduction to the knowledge of Latin literature and Latin oratory, such as had formerly been imparted by connoisseurs and masters of high position, had preserved a certain independence in relation to the Greeks. The critics of language and the masters of oratory were doubtless under the influence of Hellenism, but not absolutely under that of the Greek school grammar and school rhetoric, the latter in particular was decidedly an object of dread. The pride as well as the sound common sense of the Romans revolted against the Greek assertion that the ability to speak of things, which the orator understood and felt, intelligibly and attractively to his peers in the mother tongue could be learned in the school by school rules. To the solid practical advocate the procedure of the Greek

rhetoricians, so totally estranged from life, could not but appear worse for the beginner than no preparation at all; to the man of thorough culture and matured experience the Greek rhetoric seemed shallow and repulsive; while the man of serious conservative views did not fail to observe the close affinity between a professionally developed rhetoric and the trade of the demagogue. Accordingly the Scipionic circle had shown the most bitter hostility to the rhetoricians, and, if Greek declamations before paid masters were tolerated primarily perhaps as exercises in speaking Greek, Greek rhetoric did not thereby find its way either into Latin oratory or into Latin oratorical instruction. But in the new Latin rhetorical schools the Roman youths were trained as men and public orators by discussing in pairs rhetorical themes; they accused Ulysses, who was found beside the corpse of Ajax with the latter's bloody sword, of the murder of his comrade in arms, or upheld his innocence; they charged Orestes with the murder of his mother, or undertook to defend him; or perhaps they helped Hannibal with a supplementary good advice as to the question whether he would do better to comply with the invitation to Rome, or to remain in Carthage, or to take flight. It was natural that the Catonian opposition should once more bestir itself against these offensive and pernicious conflicts of words. The censors of $\frac{66}{5} \frac{2}{2}$ issued a warning to teachers and parents not to allow the young men to spend the whole day in exercises, whereof their ancestors had known nothing; and the man, from whom this warning came, was no less than the first forensic orator of his age, Lucius Licinius Crassus. Of course the Cassandra spoke in vain; declamatory exercises in Latin on the current themes of the Greek schools became a permanent ingredient in the education of Roman youth, and contributed their part to educate the very boys as forensic and political players and to stifle in the bud all earnest and true eloquence.

As the aggregate result of this modern Roman education there sprang up the new idea of "humanity," as it was called, which consisted partly of a more or less superficial appropriation of the aesthetic culture of the Hellenes, partly of a privileged Latin culture as an imitation or mutilated copy of the Greek. This new humanity, as the very name indicates, renounced the specific peculiarities of Roman life, nay even came forward in opposition to them, and combined in itself, just like our closely kindred "general culture," a nationally cosmopolitan and socially exclusive character. Here too we trace the revolution, which separated classes and levelled nations.

CHAPTER XIII

LITERATURE AND ART

THE sixth century was, both in a political and a literary point of view, a vigorous and great age. It is true that we do not find in the field of authorship any more than in that of politics a man of the first rank, Naevius, Ennius, Plautus, Cato, gifted and lively authors of distinctly marked individuality, were not in the highest sense men of creative talent, nevertheless we perceive in the soaring, stirring, bold strain of their dramatic, epic, and historic attempts, that these are based on the gigantic struggles of the Punic wars. Much is only artificially transplanted, there are various faults in delineation and colouring, the form of art and the language are deficient in purity of treatment, Greek and national elements are quaintly conjoined, the whole performance betrays the stamp of its scholastic origin and wants independence and completeness, yet there exists in the poets and authors of that age, if not the full power to reach their high aim, at any rate the courage to compete with and the hope of rivalling the Greeks. It is otherwise in the epoch before us. The morning star of what had been begun in the fresh feeling of the

their own talent, but also with youthful enthusiasm the work, could not be carried farther now, when on the one hand the dull sultriness of the approaching revolutionary storm began to fill the air, and on the other hand the eyes of the more intelligent were gradually opened to the incomparable glory of Greek poetry and art and to the very moderate artistic endowments of their own nation. The literature of the sixth century had arisen from the influence of Greek art on half cultivated, but excited and susceptible minds. The increased Hellenic culture of the seventh called forth a literary reaction, which destroyed the germs of promise contained in those simple imitative attempts by the winter frost of reflection, and rooted up the wheat and the tares of the older type of literature together. This reaction proceeded primarily and chiefly from the circle which assembled around Scipio Aemilianus, and whose most

prominent members among the Roman world of quality were, in addition to Scipio himself, his elder friend and counsellor Gaius Laelius (consul in $\frac{614}{140}$) and Scipio's younger companions, Lucius Furius Philus (consul in $\frac{618}{138}$) and Spurius Mummius, the brother of the destroyer of Corinth, among the Roman and Greek literati the comedian Terence, the satirist Lucilius, the historian Polybius, and the philosopher Panaetius. Those who were familiar with the *Iliad*, with Xenophon, and with Menander, could not be greatly impressed by the Roman Homer, and still less by the bad translations of the tragedies of Euripides which Ennius had furnished and Pacuvius continued to furnish. While patriotic considerations might set bounds to criticism in reference to the native chronicles, Lucilius at any rate directed very pointed shafts against "the dismal figures from the complicated expositions of Pacuvius;" and similar severe, but not unjust criticisms of Ennius, Plautus, Pacuvius—all those poets "who appeared to have a licence to talk pompously and to reason illogically"—are found in the polished author of the *Rhetoric* dedicated to Herennius, written at the close of this period. People shrugged their shoulders at the interpolations, with which the homely popular wit of Rome had garnished the elegant comedies of Philemon and Diphilus. Half smiling, half envious, they turned away from the inadequate attempts of a dull age, which that circle probably regarded somewhat as a mature man regards the poetical effusions of his youth; despairing of the transplantation of the marvellous tree, they allowed the higher species of art in poetry and prose substantially to fall into abeyance, and restricted themselves in these departments to an intelligent enjoyment of foreign masterpieces. The productiveness of this epoch displayed itself chiefly in the subordinate fields of the lighter comedy, the poetical miscellany, the political pamphlet, and the professional sciences. The literary cue was correctness, in the style of art and especially in the language, which, as a more limited circle of persons of culture became separated from the body of the people, was in its turn divided into the classical Latin of higher society and the vulgar Latin of the common people. The prologues of Terence promise "pure Latin;" warfare against faults of language forms a chief element of the Lucilian satire; and with this circumstance is connected the fact, that composition in Greek among the Romans now falls decidedly into the shade. In so far certainly there is an improvement; inadequate efforts occur in this epoch far less frequently; performances in their kind

complete and thoroughly pleasing occur far oftener than before or after

of Lael

Latin

opinion from a trade to an art At the beginning of this period the preparation of theatrical pieces at any rate, if not the publication of recitative poems, was still regarded as not becoming for the Roman of quality, Pacuvius and Terence lived by their pieces, the writing of dramas was entirely a trade, and not one of golden produce About the time of Sulla the state of matters had entirely changed The remuneration given to actors at this time proves that even the favourite dramatic poet could then claim a payment, the high amount of which removed its stigma By this means composing for the stage was raised into a liberal art, and we accordingly find men of the highest aristocratic circles, such as Lucius Caesar (aedile in ⁸⁶⁴86, + ⁸⁷87), engaged in writing for the Roman stage and proud of sitting in the Roman poet's club by the side of the ancestorless Accius Art finds increased sympathy and honour, but the enthusiasm has departed in life and in literature The fearless self confidence, which makes the poet a poet, and which is very decidedly apparent in Plautus especially, is found in none of those that follow, the Epigoni of the men that fought with Hannibal are correct, but feeble

Let us first glance at the Roman dramatic literature and the stage itself Tragedy has now for the first time her special representatives, the tragic poets of this epoch do not, like those of the prece-

tion of this

was evident

improved We now meet with the national tragedy (*praetexta*), the creation of Naevius, only in the hands of Pacuvius to be mentioned immediately—an after growth of the Ennian epoch Among the probably numerous poets who imitated Greek tragedies two alone acquired distinction Marcus Pacuvius

style to the sixth rather than the seventh century, although his poetical activity falls within the latter He composed on the whole after the manner of his countryman, uncle, and master Ennius Polishing more carefully and aspiring to a higher strain than his predecessor, he was regarded by favourable

critics of art afterwards as a model of artistic poetry and of rich style: in the fragments, however, that have reached us proofs are not wanting to justify Cicero's censure of the poet's language and Lucilius' censure of his taste; his language appears more rugged than that of his predecessor, his style of composition pompous and punctilious.¹ There are traces that he like Ennius attached more value to philosophy than to religion; but he did not at any rate, like the latter, prefer dramas chiming in with neological views and preaching sensual passion or modern enlightenment, and drew without distinction from Sophocles or from Euripides: of that poetry with a decided special aim, which almost stamps Ennius with genius, there can have been no vein in the younger poet.

More readable and adroit imitations of Greek tragedy were furnished by Pacuvius' younger contemporary, Lucius Accius, son of a freedman of Pisaurum ($\frac{1}{2}\frac{2}{3}\frac{4}{5}$ —after $\frac{1}{2}\frac{2}{3}\frac{4}{5}$), with the exception of Pacuvius the only notable tragic poet of the seventh century. An active author also in the field of literary history and grammar, he doubtless laboured to introduce instead of the crude manner of his predecessors greater purity of language and style into Latin tragedy; yet his inequality and incorrectness were emphatically censured by men of strict observance like Lucilius.

Far greater activity and far more important results are apparent in the field of comedy. At the very commencement of this period a remarkable reaction set in against the sort of comedy hitherto prevalent and popular. Its representative Terentius ($\frac{2}{3}\frac{4}{5}\frac{6}{7}$ — $\frac{2}{3}\frac{4}{5}\frac{6}{7}$) is one of the most interesting phenomena, in an historical point of view, in Roman literature. Born in Phœnician Africa, brought in early youth as a slave to Rome

¹ Thus in the *Paulus*, an original piece, the following line occurred, probably in the description of the pass of Pythium (ii. 319):—

Qua vix caprigeno generi gradilis gréssio est.

And in another piece the hearers are expected to understand the following description—

*Quadrupes lardigrada agrestis humilis aspera,
Capile brevi, cervice anguina, aspectu truci,
Eviscerata inanima cum animali sono.*

To which they naturally reply—

*Ita saeptuosa dictione abs te datur,
Quod conjectura sapiens aegre contuit;
Non intellegimus, nisi si aperte dixeris.*

Then follows the confession that the tortoise is referred to. Such enigmas, moreover, were not wanting even among the Attic tragedians, who on that account were often and sharply taken to task by the Middle Comedy.

and there initiated into the Greek culture of the day, he seemed from the very first destined for the vocation of restoring to the new Attic comedy that cosmopolitan character, which in its adaptation to the Roman public under the rough hands of Naevius, Plautus, and their associates it had in some measure lost. Even in the selection and employment of models the contrast is apparent between him and that predecessor whom alone we can now compare with him. Plautus chooses his pieces from the whole range of the newer Attic comedy, and by no means disdains the livelier and more popular comedians, such as Philemon, Terence keeps almost exclusively to Menander, the most elegant, polished, and chaste of all the poets of the newer comedy. The method of working up several Greek pieces into one Latin is retained by Terence, because in fact from the state of the case it could not be avoided by the Roman editors, but it is handled with incomparably more skill and carefulness. The Plautine dialogue beyond doubt departed very frequently from its models, Terence boasts of the verbal adherence of his imitations to the originals, by which however we are not to understand a verbal translation in our sense. The not unfrequently coarse, but always effective laying on of Roman local tints over the Greek ground work, which Plautus was fond of, is completely and designedly banished from Terence, not an allusion puts one in mind of Rome, not a proverb, hardly a reminiscence,¹ even the Latin titles are replaced by Greek. The same distinction shows itself in the artistic treatment. First of all the players receive back their appropriate masks, and greater care is observed as to the scenic arrangements, so that it is no longer the case, as with Plautus, that everything requires to be done on the street, whether belonging to it or not.

the cost of suspense, and wages emphatic war against the certainly somewhat flat and insipid standing expedients of his

¹ Perhaps the only exception is in the *Andria* (iv. 5) the answer to the question how matters go—

"Sic

Ut quisque," *asunt,* *quando ut volumus non licet*."

in allusion to the line of Caecilius which is, indeed also imitated from a Greek proverb—

Vras ut fossis, quando non guss ut relis

The comedy is the oldest of Terence's, and was exhibited by the theatrical authorities on the recommendation of Caecilius. The gentle expression of gratitude is characteristic.

predecessors, e.g., against allegoric dreams.¹ Plautus paints his characters with broad strokes, often after a stock-model, always with a view to the more distant and gross general effect; Terence handles the psychological development with a careful and often excellent miniature-painting, as in the *Adelphi* for instance, where the two old men—the easy bachelor enjoying life in town, and the sadly harassed not at all refined country-landlord—form a masterly contrast. The springs of action and the language of Plautus are drawn from the tavern, those of Terence from the household of the good citizen. The lazy Plautine hostelry, the very unconstrained but very charming damsels with the hosts duly corresponding, the sabre-rattling troopers, the slave-world painted with an altogether peculiar humour, whose heaven is the cellar, and whose fate is the lash, have disappeared in Terence or at any rate undergone improvement. In Plautus we find ourselves, on the whole, among incipient or thorough rogues, in Terence again, as a rule, among none but honest men; if occasionally a *leno* is plundered or a young man taken to the brothel, it is done with a moral intent, possibly out of brotherly love or to deter the boy from frequenting improper haunts. The Plautine pieces are pervaded by the significant antagonism of the tavern to the house; everywhere wives are visited with abuse, to the delight of all husbands temporarily emancipated and not quite sure of an amiable salutation at home. The comedies of Terence are pervaded not by a more moral, but by a more becoming conception of the feminine nature and of married life. As a rule, they end with a virtuous marriage or if possible with two—just as it was the glory of Menander that he compensated for every seduction by a marriage. The eulogies of a bachelor life, which are so frequent in Menander, are repeated by his Roman remodeller only with characteristic shyness,² whereas the lover in his agony, the tender husband at the *accouchement*, the loving sister by the death-bed in the *Eunuchus* and the *Andria* are very gracefully delineated; in the *Hecyra* there even appears at the close as a delivering angel a virtuous courtesan, likewise a genuine Menandrian figure, which the Roman public, it is true, very properly

¹ A counterpart to the hind chased by dogs and with tears calling on a young man for help, which Terence ridicules (*Phorm. prol. 4*), may be recognised in the far from ingenious Plautine allegory of the goat and the ape (*Merc. ii. 1*). Such excrescences are ultimately traceable to the rhetoric of Euripides (e.g. Eurip. *Hec. 90*).

² Micio in the *Adelphi* (i. 1) praises his good fortune in life, more particularly because he has never had a wife, "which those (the Greeks) reckon a piece of good fortune."

hissed In Plautus the fathers throughout only exist for the purpose of being jeered and swindled by their sons; with Terence in the *Heautontimorumenos* the lost son is reformed by his father's wisdom, and, as in general he is full of excellent instructions as to education, so the point of the best of his pieces, the *Adelphi*, turns on finding the right mean between the too liberal training of the uncle and the too rigid training of the father Plautus writes for the great multitude and gives utterance to profane and sarcastic speeches, so far as the censorship of the stage at all allowed, Terence on the contrary

Terence confines himself to quiet conversation. The language of Plautus abounds in burlesque turns and verbal witticisms, in alliterations, in comic coinages of new terms: Aristophanic combinations of words, pithy expressions of the day jestingly borrowed from the Greek. Terence knows nothing of such caprices, his dialogue moves on with the purest symmetry, and its points are elegant epigrammatic and sententious turns. The comedy of Terence is not to be called an improvement, as compared with that of Plautus, either in a poetical or in a moral point of view. Originality cannot be affirmed of either, but if possible, still less of Terence, and the dubious praise of more correct copying is at least outweighed by the circumstance that, while the younger poet reproduced the agreeableness, he knew not how to reproduce the merriment of Menander, so that the comedies of Plautus imitated from Menander, such as the *Stichus*, the *Cistellaria*, the *Bacchides*, probably preserve far more of the flowing charm of the original than the comedies of the "*dimidiatus Menander*" And, while the aesthetic critic cannot recognise an improvement in the transition from the coarse to the dull, as little can the moralist in the transition from the obscenity and indifference of Plautus to the accommodating morality of Terence. But in point of improvement certainly took place. Elegance of

so far it is perhaps justifiable to call . . . literature—the real essence of which lay not in the development of Latin poetry, but in the development of the Latin language

—from the comedies of Terence as the first artistically pure imitation of Hellenic works of art. The modern comedy made its way amidst the most determined literary warfare. The Plautine style of composing had taken root among the Roman *bourgeoisie*; the comedies of Terence encountered the liveliest opposition from the public, which found their “insipid language,” their “feeble style,” intolerable. The apparently somewhat sensitive poet replied in his prologues—which properly were not intended for any such purpose—with counter-criticisms full of defensive and offensive polemics; and appealed from the multitude, which had twice run off from his *Hecyra* to witness a band of gladiators and rope-dancers, to the cultivated circles of the genteel world. He declared that he only aspired to the approval of the “good;” in which doubtless there was not wanting a hint, that it was not at all seemly to undervalue works of art which had obtained the approval of the “few.” He acquiesced in or even favoured the report, that persons of distinction aided him in composing with their counsel or even with their co-operation.¹ In reality he carried his point; even

¹ In the prologue of the *Heautontimorumenos* he puts the objection into the mouth of his censors:—

*Repente ad studium hunc se applicasse musicum
Amicum ingenio fretum, haud natura sua.*

And in the later prologue ($\frac{594}{180}$) to the *Adelphi* he says—

*Nam quod isti dicunt malevoli, homines nobiles
Eum adjuvare, assidueque una scribere;
Quod illi maledictum vehemens esse existimant
Eam laudem hic ducit maximam, quum illis placet
Qui vobis universis et populo placent;
Quorum opera in bello, in otio, in negotio,
Suo quisque tempore usus est sine superbia.*

As early as the time of Cicero it was the general supposition that Laelius and Scipio Aemilianus were here meant: the scenes were designated which were alleged to proceed from them; stories were told of the journeys of the poor poet with his genteel patrons to their estates near Rome; and it was reckoned unpardonable that they had done nothing at all for the improvement of his financial circumstances. But the power which creates legend is, as is well known, nowhere more potent than in the history of literature. It is clear, and even judicious Roman critics acknowledged, that these lines could not possibly apply to Scipio who was then twenty-five years of age, and to his friend Laelius who was not much older. Others with at least more judgment thought of the poets of quality Quintus Labeo (consul in $\frac{571}{183}$) and Marcus Popillius (consul in $\frac{581}{173}$, and of the learned patron of art and mathematician, Lucius Sulpicius Gallus (consul in $\frac{588}{168}$); but this too is evidently mere conjecture. That Terence was in close relations with the Scipionic house cannot, however, be doubted: it is a significant fact, that the first exhibition of the *Adelphi* and the second of the *Hecyra* took place at the funeral games of Lucius Paullus, which were provided by his sons Scipio and Fabius.

stock plays. This is the more significant, because after the early death of Terence no man of conspicuous talent at all further occupied this field. Respecting the comedies of Turpilius (+ 183 at an advanced age) and other stop-gaps wholly or almost wholly forgotten, a connoisseur already at the close of this period gave it as his opinion, that the new comedies were even much worse than the bad new pennies (p. 389).

We have formerly shown (p. 418) that in all probability already in the course of the sixth century a national Roman comedy (*togata*) was added to the Graeco-Roman (*palliata*), as a pos- tribute not of the distinctive life of the capital, but of the ways and doings of the Latin land. Of course the Terentian school rapidly took possession of this species of comedy also. it was quite in accordance with its spirit to naturalise Greek comedy in Italy on the one hand by faithful translation, and on the other hand by pure Roman imitation. The chief repre- sentative of the school was L. Afranius (died 100 B.C.).

critics of art remark regarding him. His numerous national comedies were in their construction thoroughly formed on the model of the Greek intrigue-piece, only, as was natural in imitation they were simpler and shorter. In the details also he borrowed what pleased him partly from Menander, partly from the older national literature. But of the Latin local colouring which is so distinctly marked in Titinius the creator of this species of art we find not much in Afranius, his subjects retain a very general character, and may have been throughout imitations of particular Greek comedies with merely an alteration of costume. A polished eclecticism and adroitness in composition—literary allusions not unfrequently occur—are characteristic of him as of Terence. the moral tendency too, in which his pieces approximated to the drama, their inoffensive tenor in a police point of view, their purity of language are common to him with the latter. Afranius is sufficiently indicated as of a kindred spirit with Menander and Terence by the judgment of posterity that he wore the *toga* as Menander would have worn it had he been an Italian, and by his own express on that to his mind Terence surpassed all other poets.

The farce appeared afresh at this period in the field of Roman

literature. It was in itself very old (i. 224): long before Rome arose, the merry youths of Latium may have improvised on festal occasions in the masks once for all established for particular characters. These pastimes obtained a fixed local background in the Latin "asylum of fools," for which they selected the formerly Oscan town of Atella, which was destroyed in the Hannibalic war and was thereby handed over to comic use; thenceforth the name of "Oscan plays" or "plays of Atella" was commonly used for these exhibitions.¹ But these pleasantries had nothing to do with the stage² and with literature; they

¹ With these names there has been associated from ancient times a series of errors. The utter mistake of Greek reporters, that these farces were played at Rome in the Oscan language, is now with justice universally rejected; but it is, on a closer consideration, little short of impossible to bring these pieces, which are laid in the midst of Latin town and country life, into relation with the national Oscan character at all. The appellation of "Atellan play" is to be explained in another way. The Latin farce with its fixed characters and standing jests needed a permanent scenery: the fool-world everywhere seeks for itself a local habitation. Of course under the Roman stage-police none of the Roman communities, or of the Latin communities allied with Rome, could be taken for this purpose, although it was allowable to transfer the *togatae* to these. But Atella, which, although destroyed *de jure* along with Capua in $\frac{543}{271}$ (ii. 159, 178), continued practically to subsist as a village inhabited by Roman farmers, was adapted in every respect for the purpose. This conjecture is changed into certainty by our observing that several of these farces are laid in other communities within the domain of the Latin tongue, which existed no longer at all, or no longer at any rate in the eye of the law—such as the *Campani* of Pomponius and perhaps also his *Adelphi* and his *Quinquatria* in Capua, and the *Milites Pomatinenses* of Novius in Suessa Pometia—while no existing community was subjected to a similar abuse. The real home of these pieces was therefore Latium, their poetical stage was the Latinised Oscan land; with the Oscan nation they have no connection. The statement that a piece of Naevius (—after $\frac{550}{200}$) was for want of proper actors performed by "Atellan players" and was therefore called *personata* (Festus, s.v.), proves nothing against this view: the appellation "Atellan players" is here employed proleptically, and we might even conjecture from this passage that they were formerly termed "masked players" (*personati*).

An explanation quite similar may be given of the "lays of Fescennium," which likewise belong to the burlesque poetry of the Romans and were localised in the South Etruscan village of Fescennium; it is not necessary on that account to class them with Etruscan poetry any more than the Atellanæ with Oscan. That Fescennium was in historical times not a town but a village, cannot certainly be directly proved, but is in the highest degree probable from the way in which authors mention the place and from the silence of inscriptions.

² The close and original connection, which Livy in particular represents as subsisting between the Atellan farce and the *satura* with the drama thence developed, is not at all tenable. The difference between the *histrion* and the Atellan player was just about as great as is at present the difference between a professional actor and a man who goes to a masked ball; between the dramatic piece, which down to Terence's time had no masks, and the Atellan, which was essentially based on the character-mask, there subsisted

were performed by amateurs where and when they pleased, and the text was not written or at any rate was not published. It was not until the present period that the Atellan piece was handed over to actors properly so called,¹ and was employed like the Greek satyric drama, as an afterpiece particularly after tragedies; a change which naturally suggested the extension of literary activity to that field. Whether this authorship developed

the several pieces were uniformly original works is certain. The founder of this new species of literature, Lucius Pomponius from the Latin colony of Bononia, appeared in the first half of the seventh century;² and along with his pieces those of another poet Novius soon became favourites. So far as the few remains and the reports of the old *litteratores* allow us to form an opinion, they were short farces, ordinarily perhaps of one act, the charm

an original distinction in no way to be effaced. The drama arose out of

¹ According to Eusebius, Pomponius flourished about $\overline{60}^{\overline{60}}$; Velleius calls him a contemporary of Lucius Crassus ($\overline{1}^{\overline{40}}\overline{40}^{\overline{60}}\overline{60}^{\overline{60}}$) and Marcus Antoniu ($\overline{1}^{\overline{11}}\overline{43}^{\overline{60}}\overline{60}^{\overline{60}}$). The former statement is probably about a generation too late the reckoning by *viclorials* (p. 390) which was discontinued about $\overline{1}^{\overline{60}}\overline{60}^{\overline{60}}$ still occurs in his *Pictores*, and about the end of this period we already meet the mimes which displaced the Atellanæ from the stage

of which depended less on the preposterous and loosely constructed plot than on the drastic portraiture of particular classes and situations. Festal days and public acts were favourite subjects of comic delineation, such as the "Marriage," the "First of March," "Harlequin Candidate;" so were also foreign nationalities—the Transalpine Gauls, the Syrians; above all, the various trades frequently appear on the boards. The sacristan, the soothsayer, the bird-seer, the physician, the publican, the painter, fisherman, baker, pass across the stage; the criers were severely assailed and still more the fullers, who seem to have played in the Roman fool-world the part of our tailors. While the varied life of the city thus received its due attention, the farmer with his joys and sorrows was also represented in all aspects. The copiousness of this rural repertory may be guessed from the numerous titles of that nature, such as "the Cow," "the Ass," "the Kid," "the Sow," "the Swine," "the Sick Boar," "the Farmer," "the Countryman," "Harlequin Countryman," "the Cattle-herd," "the Vinedresser," "the Figgatherer," "Woodcutting," "Pruning," "the Poultry-yard." In these pieces it was always the standing figures of the stupid and the artful servant, the good old man, the wise man, that delighted the public; the first in particular might never be wanting—the *Pulcinello* of this farce—the gluttonous filthy *Maccus*, hideously ugly and yet eternally in love, always on the point of stumbling across his own path, set upon by all with jeers and with blows and eventually at the close the regular scape-goat. The titles "*Maccus Miles*," "*Maccus Copo*," "*Maccus Virgo*," "*Maccus Exul*," "*Macci Gemini*" may furnish the good-humoured reader with some conception of the variety of entertainment in the Roman masquerade. Although these farces, at least after they came to be written, accommodated themselves to the general laws of literature, and in their metres for instance followed the Greek stage, they yet naturally retained a far more Latin and more popular stamp than even the national comedy. The farce resorted to the Greek world only under the form of travestied tragedy;¹ and this style appears to have been cultivated first by *Novius*, and not very frequently in any case. The farce of this poet moreover ventured, if not to trespass on Olympus, at least to touch the most human of the

¹ It was probably merry enough in this form. In the *Phoenissae* of *Novius*, for instance, there was the line:—

Sume arma, jam te occidam clava scirpea,

just as Menander's *Ψευδῆρακλῆς* makes his appearance.

gods, Hercules he wrote a *Hercules Auctionator*. The tone, as a matter of course, was not the most refined, very unambiguous ambiguities, coarse rustic obscenities, ghosts frightening and occasionally devouring children, formed part of the entertainment and offensive personalities, even with the mention of

no inconsiderable position in the
and even in literature

Lastly as regards the development of dramatic arrangements, we are not in a position to set forth in detail—what is clear on the whole—that the general interest in dramatic performances

—and that they became more and
not only was there hardly any

festival that was now cele

brated without dramatic exhibitions, even in the country towns and in private houses representations by companies of hired actors were common. It is true that, while probably various municipal towns at this time possessed theatres built of stone,

—without one the building of a theatre,

¹⁰³
in the spirit of the sanctimonious policy

building of a permanent theatre was prohibited out of respect for the customs of their ancestors, but nevertheless theatrical entertainments were allowed rapidly to increase, and enormous sums were expended annually in erecting and decorating structures of boards for the purpose. The arrangements of the stage became visibly better. The improved scenic arrangements and the reintroduction of masks about the time of Terence are doubtless connected with the fact, that the erection and maintenance of the stage and stage apparatus were charged in $\frac{5}{174}$ on the public chest.¹ The plays which Lucius Mummius produced after the capture of Corinth ($\frac{190}{146}$) formed an epoch in the history of the theatre. It was probably then that a theatre

—constructed after the Greek fashion and provided

with seats was first erected, and more care generally was expended on the exhibitions.¹ Now also there is frequent mention of the bestowal of a prize of victory—which implies the competition of several pieces—of the audience taking a lively part for or against the leading actors, of cliques and *claqueurs*. The decorations and machinery were improved; movable scenery artfully painted and audible theatrical thunder made their appearance under the aedileship of Gaius Claudius Pulcher in $\frac{646}{109}$; ² and twenty years later ($\frac{665}{98}$) under the aedileship of the brothers Lucius and Marcus Lucullus came the changing of the decorations by shifting the scenes. To the close of this epoch belongs the greatest of Roman actors, the freedman Quintus Roscius (+ about $\frac{692}{2}$ at a great age), throughout several generations the ornament and pride of the Roman stage,³ the friend and welcome boon-companion of Sulla—to whom we shall have to recur in the sequel.

In recitative poetry the most surprising circumstance is the insignificance of the Epos, which during the sixth century had occupied decidedly the first place in the literature destined for reading; it had numerous representatives in the seventh, but not a single one who had even temporary success. From the present epoch there is hardly anything to be reported save a number of rude attempts to translate Homer, and some continuations of the Ennian Annals, such as the "Istrian War" of Hostius and the "Annals (perhaps) of the Gallic War" by Aulus Furius (about $\frac{650}{104}$), which to all appearance took up the

¹ The attention given to the acoustic arrangements of the Greeks may be inferred from Vitruv. v. 5, 8. Ritschl (*Parerg.* i. 227, xx.) has discussed the question of the seats; but it is probable (according to Plautus, *Capt. prol.* 11) that those only who were not *capite censi* had a claim to a seat. It is probable, moreover, that the words of Horace that "captive Greece led captive her conqueror" primarily refer to these epoch-making theatrical games of Mummius (Tac. *Ann.* xiv. 21).

² The scenery of Pulcher must have been regularly painted, since the birds are said to have attempted to perch on the tiles (Plin. *H. N.* xxxv. 4, 23; Val. Max. ii. 4, 6). Hitherto the machinery for thunder had consisted in the shaking of nails and stones in a copper kettle; Pulcher first produced a better thunder by rolling stones, which was thenceforth named "Claudian thunder" (Festus, v. *Claudiana*, p. 57).

³ Among the few minor poems preserved from this epoch there occurs the following epigram on this illustrious actor:—

*Constiteram, exorientem Auroram forte salutans,
Cum subito a larva Roscius exoritur.
Pace mihi liceat, coelestes, dicere vestra;
Mortalis visust pulchrior esse deo.*

The author of this epigram, Greek in its tone and inspired by Greek enthusiasm for art, was no less a man than the conqueror of the Cimbri, Quintus Lutatius Catulus, consul in $\frac{652}{102}$.

narrative at the very point where Ennius had broken off—the description of the Istrian war of 187 and 186. In didactic and elegiac poetry no prominent name appears. The only successes, which the recitative poetry of this period has to show, belong to the domain of what was called *Satura*—a species of art which like the letter or the pamphlet allowed any form and admitted any sort of contents and accordingly in default of all proper generic characters derived its individual shape wholly from the individuality of each poet, and occupied a position not merely on the boundary between poetry and prose, but even more than half beyond the bounds of literature proper. The humorous poetical epistles which one of the younger men of the Scipionic circle, *Spurius Mummius*, the brother of the destroyer of Corinth, sent home from the camp of Corinth to his friend were still read with pleasure a century afterwards, and numerous poetical p'ersantries of that sort not destined for publication probably proceeded at that time from the rich social and intellectual life of the better circles of Rome.

Its representative in literature is *Gaius Lucilius* (180-150) sprung of a respectable family in the Latin colony of *Freges* and likewise a member of the Scipionic circle. His poems were as it were, open letters to the public. Their contents, as his gifted successor gracefully says, embrace the whole life of cultivated man of independence, who looks upon the event passing on the political stage from the pit and catches a glance from the side-scenes who converses with the best of his epoch as his equals, who prosecutes literature and science with sympathy and intelligence without wishing personally to pass for a poet or scholar, and who, in fine, makes his pocket book the confidential receptacle for everything good and bad that he meets with, for his political experiences and expectations for grammatical remarks and criticisms on art for the incidents of his own life, visits, dinners, journeys, as well as for the anecdotes which he has heard. Caustic, capricious, thoroughly individual, the Lucilian poetry has yet a distinctly impressed controversial and, so far, didactic aim in literature as well as in morals and politics, there is in it something of the protest of the country against the capital, the Suetan's sense of his own purity of speech and honesty of life asserts itself in antagonism to the great Babel of mingled tongues and corrupt morals. The aspiration of the Scipionic circle after literary correctness especially in point of language, finds critically its most finished and most gifted representative in Lucilius. He dedicated his

very first book to Lucius Stilo the founder of Roman philology (p. 416), and designated as the public for which he wrote not the cultivated circles of pure and classical speech, but the Tarentines, the Bruttians, the Siculi, or in other words the half-Greeks of Italy, whose Latin certainly might well require a corrective. Whole books of his poems are occupied with the settlement of Latin orthography and prosody, with the combating of Praenestine, Sabine, Etruscan provincialisms, with the exposure of current solecisms; along with which, however, the poet by no means forgets to ridicule the insipidly systematic Isocratean purism of words and phrases,¹ and even to reproach his friend Scipio in serious jest with the exclusive fineness of his language.² But the poet inculcates purity of morals in public and private life far more earnestly than he preaches pure and simple Latinity. For this his position gave him peculiar advantages. Although by descent, estate, and culture on a level with the genteel Romans of his time and possessor of a handsome house in the capital, he was yet not a Roman burgess, but a Latin; even his position towards Scipio, under whom he had served in his early youth during the Numantine war, and in whose house he was a frequent visitor, may be connected with the fact, that Scipio stood in varied relations to the Latins and was their patron in the political feuds of the time (p. 97). He was thus precluded from a public life, and he disdained the career of a speculator—he had no desire, as he once said, to “cease to be Lucilius in order to become an Asiatic revenue-farmer.” So he lived in the sultry age of the Gracchan reforms and the agitations preceding the Social war, frequenting the palaces and villas of the Roman grandees and yet not exactly their client, at once immersed in the strife of political coteries and parties and yet not directly taking part with one or another; in a way similar to Béranger, of whom there is much that reminds us in the political and poetical position of Lucilius. From this position he uttered his comments on public life with a sound common sense that was not to be shaken, with a good humour that was inexhaustible, and with a wit perpetually flowing:

*Nunc vero a mane ad noctem, festo atque profesto
Toto itidem pariterque die populusque patresque*

¹ *Quam lepide λέξεις compostae ut tesserulae omnes
Arte pavimento atque emblemate vermiculato!*

² The poet advises him—

Quo facietior videre et scire plus quam ceteri—

to say not *petaesum* but *pertisum*.

The illustrations of this inexhaustible text remorselessly, without omitting his friends or even the poet himself, assailed the evils of the age, the coterie-system, the endless Spanish war-service, and the like. At the very commencement of his satires was a great debate in the senate of the Olympian gods on the question, whether Rome deserved to enjoy the continued protection of the celestials. Corporations, classes, individuals, were everywhere severally mentioned by name;

Lucilius stand on the same level of culture, and have the same relation to each other as a carefully prepared and polished literary work has to a letter written on the spur of the moment. But the incomparably higher intellectual gifts and the freer view of life, which mark the knight of Suessa as compared with the African slave, rendered his success as rapid and brilliant as that of Terence had been laborious and doubtful; Lucilius became immediately the favourite of the nation, and he like Béranger could say of his poems that "they alone of all were read by the people." The uncommon popularity of the Lucilian poems is, in an historical point of view, a remarkable event; we see from it that literature was already a power, and beyond doubt we should fall in with various traces of its influence, if a thorough history of this period had been preserved. Posterity has only confirmed the judgment of contemporaries; the Roman judges of art who were opposed to the Alexandrian school assigned to Lucilius the first rank among all the Latin poets. So far as satire can be regarded as a distinct form of art at all, Lucilius created it; and in it created the only species of art which was peculiar to the Romans and was transmitted by them to posterity.

Of poetry based on the Alexandrian school nothing occurs in Rome at this epoch except minor poems translated from or modelled on Alexandrian epigrams, which deserve notice not on their own account, but as the first harbingers of the later epoch of Roman literature. Leaving out of account some poets little known and whose dates cannot be fixed with certainty, there belong to this category Quintus Catulus, consul in $\frac{65}{102}$ (p. 431) and Lucius Manlius, an eminent senator, who wrote in $\frac{67}{97}$. The latter seems to have been the first to circulate among the Romans various geographical tales current among the Greeks, such as the Delian legend of Latona, the fables of Europa and of the marvellous bird Phoenix; as it was likewise reserved for him on his travels to discover at Dodona and to copy that remarkable tripod, on which might be read the oracle imparted to the Pelasgians before their migration into the land of the Siceli and Aborigines—a discovery which the Roman annals did not neglect devoutly to register.

In historical composition this epoch is especially signalised

*Hostem esse atque inimicum hominum morumque malorum,
Contra defensorem hominum morumque bonorum
Hos magni facere, his bene velle, his vivere amicis;
Commoda præterea patriæ sibi prima putare,
Deinde parentum, tertia iam postremaque nostra,*

by an author who did not belong to Italy either by birth or in respect of his intellectual and literary standpoint, but who first or rather alone as an author appreciated and described the position of Rome in the world, and to whom all subsequent generations, and we too, owe the best part of our knowledge of the Roman development. Polybius (c. 208—c. 112) of Megalopolis in the Peloponnesus, son of the Achaean statesman Lycortas, took part apparently as early as 188 in the expedition of the Romans against the Celts of Asia Minor, and was afterwards on various occasions, more especially during the third Macedonian war, employed by his countrymen in military and diplomatic affairs. After the crisis occasioned by that war in Hellas he was carried off along with the other Achaean hostages to Italy (112), where he lived in exile for seventeen years (112—95) and was introduced by the sons of Paullus to the leading circles of the capital. By the sending back of the

Carthage and of Corinth. He seemed educated, and destiny to comprehend the historical position of Rome more clearly than the Romans of that day could themselves. From the position in which he stood as a Greek statesman and a Roman prisoner, esteemed and occasionally envied for his Hellenic culture by Scipio Aemilianus and the first men of Rome generally, he saw the streams which had so long flowed separately meeting together in the same channel, and the history of the states of

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of Hellas in the sphere of intellect and in the sphere of politics as facts, regarding which history had given her final decision and to which people on both sides were entitled and bound to submit. In this spirit he acted as a practical statesman, and wrote his history. If in his youth he had done impracticable local patriotism years, with a clear discernment ated in the community to which

he belonged the policy of closest adherence to Rome. It was a policy in the highest degree judicious and beyond doubt well intentioned, but it was far from being high spirited or proud. Nor was Polybius able wholly to disengage himself

from the vanity and paltriness of the Hellenic statesmanship of the time. He was hardly released from exile, when he proposed to the senate that it should formally secure to the released their former rank in their several homes; whereupon Cato aptly remarked, that this looked to him as if Ulysses were to return to the cave of Polyphemus to request from the giant his hat and girdle. He often made use of his relations with the great men in Rome to benefit his countrymen; but the way in which he submitted to, and boasted of, the illustrious protection somewhat approaches fawning servility. His literary activity breathes throughout the same spirit as his practical action. It was the task of his life to write the history of the union of the Mediterranean states under the hegemony of Rome. From the first Punic war down to the destruction of Carthage and Corinth his work embraces the fortunes of all the civilised states—namely Greece, Macedonia, Asia Minor, Syria, Egypt, Carthage, and Italy—and exhibits in causal connection the mode in which they came under the Roman protectorate; in so far he describes it as his object to demonstrate the fitness and reasonableness of the Roman hegemony. In design as in execution, this history stands in clear and distinct contrast with the contemporary Roman as well as with the contemporary Greek historiography. In Rome history still remained wholly at the stage of chronicle; there existed doubtless important historical materials, but what was called historical composition was restricted—with the exception of the very respectable but purely individual writings of Cato, which at any rate did not reach beyond the rudiments of research and narration—partly to nursery tales, partly to collections of notices. The Greeks had certainly exhibited historical research and had written history; but the ideas of nation and state had been so completely lost amidst the distracted times of the Diadochi, that none of the numerous historians succeeded in following the steps of the great Attic masters in spirit and in truth, or in treating from a broad point of view the matter of world-wide interest in the history of the times. Their histories were either purely outward records, or they were pervaded by the verbiage and sophistries of Attic rhetoric and only too often by the venality and vulgarity, the sycophancy and the exasperation of the age. Among the Romans as among the Greeks nothing existed but histories of cities or of tribes. Polybius, a Peloponnesian, as has been justly remarked, and holding intellectually a position at least as far aloof from the Attics as from the Romans, first stepped beyond these miserable

limits, treated the Roman materials with mature Hellenic criticism, and furnished a history, which was not indeed universal, but which was at any rate dissociated from the mere local states and accommodated to the Romano-Greek state in the course of formation. Never perhaps has any historian united within himself all the advantages of an author drawing from original sources so completely as Polybius. The compass of his task is completely clear and present to him at every moment, and his eye is fixed throughout on the real historical connection of events. The legend, the anecdote, the mass of worthless chronicle-notices are thrown aside, the description of countries and peoples, the representation of political and mercantile

rights. In the procuring of historic materials Polybius shows a caution and perseverance such as are not perhaps paralleled in antiquity, he avails himself of documents, gives comprehensive attention to the literature of different nations, makes the most extensive use of his favourable position for collecting the accounts of actors and eye-witnesses, and, in fine, methodically travels over the whole domain of the Mediterranean states and

solely interested in the essential connection of events, to present which in their true relation of causes and effects seems to him not merely the first but the sole task of the historian. Lastly, the narrative is a model of completeness, simplicity, and clearness. Still all these uncommon advantages by no means constitute an historian of the first task, as he grasped his pre-

with the intellect alone liberty, is a moral problem, a mechanical one. The whole alone has value for him, in nature as in the state, the particular event, the individual man, however wonderful they may appear, are yet properly mere single elements, insignificant wheels in the highly artificial mechanism

¹ Such scientific travels were, however, nothing uncommon among the Greeks of this period. Thus in Plautus (*Vern* 248, comp. 231) one who has navigated the whole Mediterranean asks—

*Quin nos hinc et mox
Redimus, nisi sit historiam scripturam sumus?*

which receives the name of the state. So far Polybius was certainly qualified as no other was to narrate the history of the Roman people, which actually solved the marvellous problem of raising itself to unparalleled internal and external greatness without producing a single statesman of genius in the highest sense, and which resting on its simple foundations developed itself with wonderful almost mathematical consistency. But the element of moral freedom is active in the history of every people, and it was not neglected by Polybius in the history of Rome with impunity. His treatment of all questions, in which right, honour, religion are involved, is not merely shallow, but radically false. The same holds true wherever a genetic construction is required; the purely mechanical attempts at explanation, which Polybius substitutes, are sometimes altogether desperate; there is hardly, for instance, a more foolish political speculation than that which derives the excellent constitution of Rome from a judicious mixture of monarchical, aristocratic, and democratic elements, and deduces the successes of Rome from the excellence of her constitution. His conception of relations is everywhere dreadfully jejune and destitute of imagination: his contemptuous and pert mode of treating religious matters is altogether offensive. The narrative, preserving throughout an intentional contrast to the usual Greek historiography with its artistic style, is correct and clear, but flat and languid, digressing with undue frequency into polemical discussions or into biographical, not seldom very self-sufficient, description of his own experiences. A controversial vein pervades the whole work; the author destined his treatise primarily for the Romans, and yet found among them only a very small circle that understood him; he felt that he remained in the eyes of the Romans a foreigner, in the eyes of his countrymen a renegade, and that with his grand conception of his subject he belonged more to the future than to the present. Accordingly he was not exempt from a certain ill-humour and personal bitterness, which frequently appear after a quarrelsome and paltry fashion in his attacks upon the superficial or even venal Greek and the uncritical Roman historians, so that he degenerates from the tone of the historian to that of the reviewer. Polybius is not an attractive author; but as truth and truthfulness are of more value than all ornament and elegance, no other author of antiquity perhaps can be named to whom we are indebted for so much real instruction. His books are like the sun in the field of Roman history; at the point

where they begin the veil of mist which still envelops the Samnite and Pyrrhic wars is raised, and at the point where they end a new

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historical literature of native growth At the beginning of this period we still find some chronicles written in Greek such as that already
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influence partly of Ciceronian patriotism partly of the more refined culture of the Scipionic circle the Latin language gained so decided an ascendancy in this field, that of the later historical works not more than one or two occur written in Greek,¹ and not only so, but the older Greek chronicles were translated into Latin and were probably read mainly in these translations. Unhappily beyond the employment of the mother tongue there is hardly anything else deserving of commendation in the chronicles of this epoch composed in Latin. They were numerous and ample enough—there are mentioned for example, those of Lucius Cassius Herminia (about $\frac{60}{146}$) of Lucius Calpurnius Piso (consul in $\frac{61}{145}$) of Gaius Sempronius Tuditanus (consul in $\frac{72}{136}$) of Gaius Iannius (consul in $\frac{73}{135}$). To these falls to be added the digest of the official annals of the city in eighty books, which Publius Mucius Scaevola (consul in $\frac{82}{126}$), a man esteemed also as a jurist, prepared and published as *pontifex maximus* thereby closing the city chronicle is so far as thenceforth the pontifical records although not exactly discontinued, were no longer at any rate, amidst the increasing diligence of private chroniclers, taken account of in literature. All these annals, whether they gave themselves forth as private or as official works, were substantially similar compilations of the extant historical and quasi historical materials, and the value of their authorities as well as their formal value declined beyond doubt in the same proportion as their amplitude increased. Chronicle certainly nowhere presents truth without fiction, and it would be very foolish to quarrel with Naevius and Pictor because they have not acted otherwise than Hecataeus and Saxo Grammaticus,

¹ The only real exception so far as is known is the Greek history of Gnaeus Aufidius who flourished in Cicero's boyhood (*Tusc.* v. 38. 112) that is about $\frac{60}{90}$. The Greek memoirs of Publius Rutilius Rufus (consul in $\frac{83}{103}$) are hardly to be regarded as an exception since their author wrote them in exile at Smyrna.

but the later attempts to build houses out of such castles in the air severely test even the most tried patience. No blank in tradition presents so wide a chasm, but that this system of smooth and downright invention will fill it up with playful facility. The eclipses of the sun, the numbers of the census, family-registers, triumphs are without hesitation carried back from the current year up to the year 1; it stands duly recorded, in what year, month, and day king Romulus went up to heaven, and how king Servius Tullius triumphed over the Etruscans first on the 25th November $\frac{1}{3}\frac{2}{7}\frac{3}{1}$, and again on the 25th May $\frac{1}{6}\frac{2}{6}\frac{7}{1}$. In entire harmony with such details accordingly the vessel in which Aeneas had voyaged from Ilion to Latium was shown in the Roman docks, and even the identical sow, which had served as a guide to Aeneas, was preserved well pickled in the Roman temple of Vesta. With the talent of a poet for inventing lies, these chroniclers of rank combine all the tiresome exactness of a notary, and treat their great subject throughout with the dullness which necessarily results from the elimination at once of all poetical and all historical elements. When we read, for instance, in Piso that Romulus avoided indulging in his cups when he had a sitting of the senate next day; or that Tarpeia betrayed the Capitol to the Sabines out of patriotism, with a view to deprive the enemy of their shields; we cannot be surprised at the judgment of intelligent contemporaries as to all this sort of scribbling, "that it was not writing history, but telling stories to children." Of far greater excellence were isolated works on the history of the recent past and of the present, particularly the history of the Hannibalic war by Lucius Caelius Antipater (about $\frac{6}{1}\frac{3}{3}\frac{1}{1}$) and the history of his own time by Publius Sempronius Asellio, who was a little younger. These exhibited at least valuable materials and an earnest spirit of truth, in the case of Antipater also a vigorous, although somewhat homely, style of narrative; yet, judging from all testimonies and fragments, none of these books came up either in pithy form or in originality to the "Origines" of Cato, who unhappily created as little of a school in the field of history as in that of politics.

The subordinate, more individual and ephemeral, species of historical literature—memoirs, letters, and speeches—were strongly represented also, at least as respects quantity. The first statesmen of Rome already recorded in person their experiences: such as Marcus Scaurus (consul in $\frac{6}{1}\frac{3}{1}\frac{9}{6}$), Publius Rufus (consul in $\frac{6}{1}\frac{4}{0}\frac{9}{5}$), Quintus Catulus (consul in $\frac{6}{1}\frac{5}{0}\frac{2}{2}$), and even the regent Sulla; but none of these productions seem to have

been of importance for literature otherwise than by the substance of their contents. The collection of letters of Cornelia, the mother of the Gracchi, was remarkable partly for the classical purity of the language and the high spirit of the writer, partly as the first correspondence published in Rome, and as the first literary production of a Roman lady. The literature of speeches preserved at this period the stamp impressed on it by Cato, advocates' pleadings were not yet looked on as literary productions, and such speeches as were published were political pamphlets. During the revolutionary commotions this pamphlet literature increased in extent and importance, and among the mass of ephemeral productions there were some which, like the *Philippics* of Demosthenes and the *brochures* of Courier, acquired a permanent place in literature from the important position of their authors or from their own weight. Such were the political speeches of Gaius Laelius and of Scipio Aemilianus, masterpieces of excellent Latin as of the noblest patriotism, such were the fluent speeches of Gaius Titius, from whose pungent pictures of the place and the time—his description of the senatorial *iudex* has been given already (p. 395)—the national comedy borrowed various points, such above all were the numerous orations of Gaius Gracchus, whose fiery words preserved in a faithful mirror the impassioned earnestness, the noble bearing, and the tragic destiny of that highly gifted nature.

In scientific literature the collection of juristic opinions by Marcus Brutus, which was published about the year ¹⁵⁰150, _{with the Cael method}

machinery of conversation in which the persons, time, and place were distinctly specified. But the later men of science, such as Stilo the philologist and Scaevola the jurist, laid aside this method, more poetical than practical, both in the sciences of general culture and in the special professional sciences. The increasing value of science as such, and the preponderance of the practical interest in it at Rome, are clearly reflected in this rapid rejection of the fetters of artistic form. We have already spoken (p. 414 seq.) in detail of the sciences of general liberal culture, grammar, or rather philology, rhetoric and philosophy, in so far as these now became essential elements of the usual Roman training and thereby first began to be dissociated from the professional sciences properly so called.

In the field of letters Latin philology flourished vigorously,

in close association with the philological treatment—long ago firmly established—of Greek literature. It was already mentioned that about the beginning of this century the Latin epic poets found their *diaskenastæ* and revisers of their text (p. 415); it was also noticed, that not only did the Scipionic circle generally insist on correctness above everything else, but several also of the most noted poets, such as Accius and Lucilius, busied themselves with the regulation of orthography and of grammar. At the same period we find isolated attempts to develop archaeology from the historical side; although the dissertations of the unwieldy annalists of this age, such as those of Hemina “on the Censors” and of Tuditanus “on the Magistrates,” can hardly have been better than their chronicles. Of more interest were the treatise on the Magistracies by Marcus Junius the friend of Gaius Gracchus, as the first attempt to make the investigation of antiquity serviceable for political objects,¹ and the metrically composed *Didascalie* of the tragedian Accius, an essay towards a literary history of the Latin drama. But those early attempts at a scientific treatment of the mother-tongue still bear very much a *dilettante* stamp, and strikingly remind us of our orthographic literature in the Bodmer-Klopstock period; and we may likewise without injustice assign but a modest place to the antiquarian researches of this epoch.

The Roman, who established the investigation of the Latin language and antiquities in the spirit of the Alexandrian masters on a scientific basis, was Lucius Aelius Stilo about $\frac{650}{100}$ (p. 416). He first went back to the oldest monuments of the language, and commented on the Salian litanies and the Twelve Tables. He devoted his special attention to the comedy of the sixth century, and first formed a list of the pieces of Plautus which in his opinion were genuine. He sought, after the Greek fashion, to determine historically the origin of every single phenomenon in the Roman life and dealings and to ascertain in each case the “inventor,” and at the same time brought the whole annalistic tradition within the range of his research. The success, which he had among his contemporaries, is attested by the dedication to him of the most important poetical, and the most important historical, works of his time, the Satires of Lucilius and the Annals of Antipater; and this first Roman philologist influenced

¹ The assertion, for instance, that the quaestors were nominated in the regal period by the burgesses, not by the king, is as certainly false as it obviously bears the impress of a partisan character.

to jurisprudence—began to be noted down and to be promulgated in collections about the beginning of the seventh century. This was done first by the younger Cato (+ about $\frac{690}{130}$) and by Marcus Brutus (nearly contemporary), and these collections were, as it would appear, arranged in the order of matters.¹ A strictly systematic treatment of the law of the land soon followed. Its founder was the *pontifex maximus* Quintus Mucius Scaevola (consul in $\frac{659}{95}$, + $\frac{672}{82}$) (pp 205, 317, 408), in whose family jurisprudence was, like the supreme priesthood, hereditary. His eighteen books on the *Ius Civile*, which embraced the positive materials of jurisprudence—legislative enactments, judicial precedents, and authorities—partly from the older collections, partly from oral tradition in as great completeness as possible, formed the starting point and the model of the complete systems of Roman law, in like manner his compendious treatise of "Definitions" (*ὁροί*) became the basis of juristic summaries and particularly of the books of Rules. Although this development of law proceeded of course in the main independently of Hellenism, yet an acquaintance with the philosophico practical systematising of the Greeks beyond doubt gave a general impulse to the more systematic treatment of jurisprudence, as in fact the Greek influence is in the case of the last mentioned treatise apparent in the very title. We have already remarked that in several more external matters Roman jurisprudence was influenced by the Stoa

more customary for those sojourning there to inspect the works of art, for which in particular the winter quarters of Sulla's army in Asia Minor in $\frac{679}{84}$ — $\frac{671}{83}$ formed an epoch. Connoisseurship developed itself also in Italy. They had commenced with articles in silver and bronze, about the commencement of this epoch they began to esteem not merely Greek statues, but also Greek pictures. The first picture publicly exhibited in Rome was the Bacchus of Aristides, which Lucius Mummius withdrew from the sale of the Corinthian spoil, because

king Attalus offered as much as 6000 *denarii* (£260) for it. The buildings became more splendid; and in particular transmarine, especially Hymettian, marble (Cipollin) came into use for that purpose—the Italian marble quarries were not yet in operation. A magnificent colonnade still admired in the time of the empire, which Quintus Metellus (consul in $\frac{611}{143}$) the conqueror of Macedonia constructed in the Campus Martius, enclosed the first marble temple which the capital had seen; it was soon followed by similar structures built on the Capitol by Scipio Nasica (consul in $\frac{616}{138}$), and on the Circus by Gnaeus Octavius (consul in $\frac{626}{138}$). The first private house adorned with marble columns was that of the orator Lucius Crassus ($+\frac{663}{91}$) on the Palatine (p. 392). But where they could plunder or purchase, instead of creating for themselves, they did so; it was a wretched indication of the poverty of Roman architecture, that it already began to employ the columns of the old Greek temples; the Roman Capitol, for instance, was embellished by Sulla with those of the temple of Zeus at Athens. The works that were produced in Rome proceeded from the hands of foreigners; the few Roman artists of this period, who are particularly mentioned, are without exception Italian or transmarine Greeks who had migrated thither. Such was the case with the architect Hermodorus from the Cyprian Salamis, who among other works restored the Roman docks and built for Quintus Metellus (consul in $\frac{611}{143}$) the temple of Jupiter Stator in the basilica constructed by him, and for Decimus Brutus (consul in $\frac{616}{138}$) the temple of Mars in the Flaminian circus; with the sculptor Pasiteles (about $\frac{665}{89}$) from Magna Graecia, who furnished images of the gods in ivory for Roman temples; and with the painter and philosopher Metrodorus of Athens, who was written for to paint the pictures for the triumph of Lucius Paullus ($\frac{687}{167}$). It is significant that the coins of this epoch exhibit in comparison with those of the previous period a greater variety of types, but a retrogression rather than an improvement in the cutting of the dies.

Finally, music and dancing passed over in like manner from Hellas to Rome, solely in order to be there applied to the enhancement of decorative luxury. Such foreign arts were certainly not new in Rome; the state had from olden time allowed Etruscan flute-players and dancers to appear at its festivals, and the freedmen and the lowest class of the Roman people had previously followed this trade. But it was a novelty that Greek dances and musical performances should form the regular accompaniment of a fashionable banquet. Another

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by Cicero (*De Orat.* II. 33, 144) *Disciplines* (Gell. xlii 201, f. 31, 141, *De Ora.* *opinions* is shown

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novelty was a dancing-school, such as Scipio Aemilianus full of indignation describes in one of his speeches, in which upwards of five hundred boys and girls—the dregs of the people and the children of magistrates and of dignitaries mixed up together—received instruction from a ballet master in far from decorous castanet-dances, in corresponding songs, and in the use of the proscribed Greek stringed instruments. It was a novelty too—

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arts before all the people at the same time. The government occasionally attempted to check such practices; as for instance in 639, when all musical instruments, with the exception of the simple flute indigenous in Latium, were prohibited by the censors. But Rome was no Sparta; the lax government by such prohibitions rather drew attention to the evils than attempted to remedy them by a sharp and consistent application of the laws.

If, in conclusion, we glance back at the picture as a whole which the literature and art of Italy unfold to our view from the death of Ennius to the beginning of the Ciceronian age, we find in these respects as compared with the preceding epoch a most decided decline of productiveness. The higher kinds of literature—such as epos, tragedy, history—have died out or have been arrested in their development. The subordinate kinds—the translation and imitation of the intrigue-piece, the farce, the poetical and prose *brochure*—alone prosper, in this last field of literature swept by the full hurricane of revolution.

With the two men of greatest literary talent in this epoch of French literature—Condorcet and Diderot—stand out amidst a multitude of pretentious nullities. In the plastic and delineative arts likewise the production, always weak, is now utterly null. On the other hand, the department of art and literature flourished, and in the political field gathered in and

to their fathers, we find them in this field also as antiquaries, as patrons of plays, as patrons of literature, as connoisseurs and still more as collectors in art. The most honourable aspect of this activity was its learned research, which put forth a native intellectual energy, more especially in jurisprudence and in

linguistic and antiquarian investigation. The foundation of these sciences which properly falls within the present epoch, and the first small beginnings of an imitation of the Alexandrian hothouse poetry, already herald the approaching epoch of Roman Alexandrinism. All the productions of the present epoch are smoother, more free from faults, more systematic than the creations of the sixth century. The literati and the friends of literature of this period not altogether unjustly looked down on their predecessors as bungling novices: but while they ridiculed or censured the defective labours of these novices, the most gifted of them probably confessed to themselves that the season of the nation's youth was past, and ever and anon perhaps felt in the still depths of the heart a secret longing to wander once more in the delightful paths of youthful error.

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